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Merton Council

Planning Applications Committee Agenda

Membership

Councillors:
Dave Ward (Chair)
Stephen Crowe (Vice-Chair)
Stephen Alambritis MBE
Billy Christie
David Dean
Nick Draper
Joan Henry
Simon McGrath
Carl Quilliam
Peter Southgate

Substitute Members:
Eloise Bailey
Ben Butler
Edward Foley
Edward Gretton
Najeeb Latif
Dennis Pearce

Date: **Tuesday 29 June 2021**

Time: **7.15 pm**

Venue: **Council Chamber - Merton Civic Centre, London Road, Morden SM4 5DX**

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If you wish to speak in respect an application, please contact either planning@merton.gov.uk or the Development Control Admin Section on 020 8545 3445/3448 (9am – 5pm); or the Development Control hotline 020 8545 3777 (open 1pm – 4pm only) to register. All requests to speak should be made by no later than 12 noon on the day before the meeting.

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Planning Applications Committee Agenda
29 June 2021

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2	Declarations of Pecuniary Interest	
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4	Town Planning Applications *The Chair will announce the order of Items at the beginning of the Meeting. A Supplementary Agenda with any modifications will be published on the day of the meeting. Note: there is no written report for this item.*	
5	2A Amity Grove, Raynes Park, SW20 0LJ *Application no. 20/P3866* *Ward: Raynes Park* *Recommendation: Grant Planning Permission subject to conditions and s.106 legal agreement*	11 - 64
6	Chase Court Bakers End, 8A Bakers End, Wimbledon Chase, SW20 9ER *Application no. 20/P3874* *Ward: Merton Park* *Recommendation: Grant Planning Permission subject to conditions*	65 - 88
7	11 Blossom Square, West Wimbledon, SW20 8TG *Application no. 21/P1108* *Ward: Raynes Park* *Recommendation: Grant Planning Permission subject to conditions*	89 - 102
8	7 Christchurch Close, Colliers Wood, SW19 2NZ *Application no. 21/P0943* *Ward: Colliers Wood* *Recommendation: Grant planning permission subject to conditions and Section 106 obligations*	103 - 140
9	AELTC Church Road, Wimbledon, SW19 5AE *Application no. 20/P3635* *Ward: Village* *Recommendation: Grant Planning Permission subject to conditions and S106 agreement*	141 - 202

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10	13 Deepdale, Wimbledon, SW19 5EZ *Application no. 20/P2368* *Ward: Village* *Recommendation: Grant Planning Permission subject to conditions*	203 - 234
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12	131-135 Love Lane, Mitcham, CR4 3YA *Application no. 21/P1138* *Ward: Cricket Green* *Recommendation: Grant planning permission subject to conditions and a S.106 agreement for parking permit free, and that in the event that following substantial implementation of the approved scheme a planning application is submitted that enables the creation of one or more additional unit/units, the entire scheme would be subject to a full viability assessment, and for London Borough of Merton to levy an off-site affordable housing contribution and/or carbon offset*	269 - 302
13	Former Fire Station, Lower Green West CR4 3GA *Application no. 20/P0801* *Ward: Cricket Green* *Recommendation: Grant Planning Permission subject to conditions*	303 - 334
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17	Bennetts Courtyard, Watermill Way, Colliers Wood, SW19 2RW *Application no. 20/P3364* *Ward: Colliers Wood* *Recommendation: Grant Permission subject to conditions and s.106 legal agreement*	409 - 456
18	Planning Appeal Decisions *Recommendation: That Members note the contents of the report*	457 - 460
19	Planning Enforcement - Summary of Current Cases *Recommendation: That Members note the contents of the report*	461 - 468

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that mater and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

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PLANNING APPLICATIONS COMMITTEE

29 APRIL 2021
(7.17 pm - 11.29 pm)

PRESENT:	Councillor Dave Ward (in the Chair), Councillor Stephen Crowe, Councillor Stephen Alambritis, Councillor Billy Christie, Councillor David Dean, Councillor Nick Draper, Councillor Joan Henry, Councillor Simon McGrath, Councillor Carl Quilliam and Councillor Peter Southgate
IN ATTENDANCE:	Sarath Attanayake (Transport Planning Project Officer), Tim Bryson (Development Control Team Leader (North)), Amy Dumitrescu (Democratic Services Officer), Jonathan Lewis (Development Control Team Leader (South)), Neil Milligan (Development Control Manager, ENVR) and Farzana Mughal (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor David Dean declared an interest in respect of item 7 – Dundonald Recreation Centre, Wimbledon, SW19 3QH, in that he was acting Vice-Chair of The Friends of Dundonald Park. He did not take part in the debate and did not vote.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: that the minutes of the meeting held on 18th March, 2021 were agreed as an accurate record, subject to amendment to the inclusive of Sarath Attanayake (Transport Planning Project Officer) in the list of 'in attendance' of the meeting.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officers' report (see item no. 17). This applied to items no. 7, 9, 12, 13 and 14.

Furthermore, the Chair advised that the order of the agenda was changed and would be considered in the order as follows: items no. 11, 5, 6, 7, 8, 9, 12, 13, 14 and 10. For the purpose of the minutes, items were minuted in the order they appeared in the published agenda.

5 94 THE BROADWAY, WIMBLEDON, SW19 1RH (Agenda Item 5)

Proposal: Erection of a four storey rear extension and internal reconfiguration of existing residential unit to create four additional residential dwellings.

Further to Minute No. 5 on 11th February, 2021, the Committee noted that the Daylight and Sunlight Assessment had been out. The Committee noted the report and the plans presented by the Development Control Team Leader (North).

A resident had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- not satisfied by the daylight and sunlight report as the proposed scheme would cause loss of light;
- overlooking of overbearing brick wall;
- the proposed scheme was not in keeping with the property and would harm the overall look and character of the site;
- the plans did not indicate where waste with a commercial unit would be located. Space for only four bins had been allocated, but there was no proposals for commercial waste and recycling. This would potentially have a huge waste disposal problem, as well as limited access for bin lorries. This did not comply with Merton Sustainable Waste Management Policy.

The applicant's agent had registered to speak, and at the request of the Chair, addressed the following points:

- the proposal sought the erection of a four storey rear extension to provide a more high quality self-contained residential dwelling;
- on the recommendation of Committee, the applicant appointed a chartered rights licence and pre Farwell and daylight and sunlight assessment was carried out, 52 windows were assessed, and it was found that there would be a 1% loss of light to the kitchen window of property of no. 92 kitchen and no loss of light on the second floor windows.

In response to a member's question, the Development Control Team Leader clarified that the right to light legislation was not a material planning consideration. Nonetheless, the Committee was satisfied with the Daylight and Sunlight Assessment report.

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 20/P3088 be GRANTED planning permission, subject to s106 obligation or any other enabling agreement.

6 57 COOMBE LANE, RAYNES PARK, SW20 0BD (Agenda Item 6)

Proposal: Erection of a two storey rear extension, hip to gamble and rear roof dormer extensions and garden annex.

The Committee noted the report and the plans presented by the Development Control Team Leader (South).

A resident had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- the proposed extension would be excessive and not within the scale of the neighbouring properties;
- the proposal was misleading and were out of character with the surrounding properties.

The applicant had submitted a speech which was read out by Democratic Services Officer addressing the objectors concerns. It was further stated that the proposed scheme had been developed with an appreciation and sensitivity to the site context and local planning policies. The architecture was of a high quality and would respect the form, appearance, and materials of the existing house.

In the ensuing debate, Members' raised a number of points and in response to Members' questions and comments the Development Control Team Leader (South) stated the following points:

- it was clarified that the garage will be converted as a habitable room with an additional office space behind the garage;
- the proposed development would be more than two metres away from the boundary, and would not cross that threshold.

Members' were concerned that the proposal would be used as a granny annex the property and asked whether a condition could be included to prevent it being used as a permanent bedroom. Furthermore, concerns were raised in relation to the height of the building and members requested that the outbuilding be reduced from three metres to 2.5 meters.

The Development Control Team Leader (South) advised the Committee that if Members' were minded to defer the decision due to concerns in relation to the height of the building, that officers' could suggest to the applicant that the Committee would be minded to support the proposal if the height of the outbuilding was reduced to 2.5 metres.

A motion for refusal was put forward by the Committee for the reason that there were concerns in relation to size of the development. However, being put to the vote the motion was lost.

The Committee recommended that the application be deferred, pending amendments to the current application being submitted, addressing the concerns in relation to height of the development and a condition to protect the mature tree in the back garden and advice as to whether it warrants a Tree Protection Order (TPO).

RESOLVED that the application number 20/P1046 be DEFERRED, pending submission of a revised application.

7 DUNDONALD RECREATION GROUND, DUNDONALD ROAD, WIMBLEDON, SW19 3QH (Agenda Item 7)

Proposal: Erection of a temporary building to provide community space, Tennis Club and Café and erection of separate temporary toilet facilities.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda. An update on various matters relating to the amendments was also provided to the Committee.

A resident had registered to speak, in support, to the proposed scheme, and at the request of the Chair, stated that the proposed scheme would benefit the community, and their health and wellbeing. The proposed facilities where residents could go out and meet with other people was much needed. This would provide a vibrant and healthy sense of community spirit and potentially reduce anti-social behaviour.

In response to Members' questions and comments, the Development Control Team Leader (North) stated that it appreciated that this application took longer than expected to be progressed, however, it was prudent that the application was carefully considered given it was an open space, particularly, there would be a policy, in terms of, demonstrating the need for the building. Furthermore, consultation had been undertaken with the Green Space Manager.

Clarity was sought that the proposal would be a temporary building for five to seven years and would also be used for the wider community as well as the tennis club. Members' requested further clarified from the Green Space Officer in terms of the use of the existing building.

In response to a Member's question, The Development Control Team leader (North) informed the Committee that there had been no proposed restrictions in use of the building, therefore, potentially, the facilities could be used seven days a week.

Members' raised concerns with regards to the temporary proposal, and deemed it to be inappropriate to the area. This was a Holocaust Remembrance Garden and believed it should remain in this way. Furthermore, the Rose Garden was unique and valuable to the community and wouldn't wish it to be substandard in any way by a temporary building.

The Chair moved to the vote on the officer's recommendation to refuse the application, however, on being put to vote the motion was lost.

The Committee had requested to defer the application pending further information and a site visit.

RESOLVED that the application number 19/P4183 be DEFERRED, pending a site visit and further information.

(Councillor David Dean declared an interest in respect of this item. He did not take part in the debate and did not vote)

8 9A THE GRANGE, WIMBLEDON, LONDON, SW19 4PT (Agenda Item 8)

Proposal: Side and rear extension of existing building and single basement development to create two number of semi-detached houses by consolidate existing four flats into a single dwelling house and create a new unit to the side, partial demolition of existing building to the side and rear, front façade retention, full demolition of single storey garage and outbuilding. New crossover and boundary was proposed.

The Committee noted the report and the plans presented by the Development Control Team Leader (North).

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- concerns in relation to the impact of the conservation area, overdevelopment, immunity impact and loss of housing;
- the proposal would irreversibly disrupt the established character significantly reduced the openness by closing important visual gaps;
- loss of mature landscaped garden and further loss of traditional fruit gardens;
- the proposal would fail to serve and enhance the heritage assets contrary to local policy, and in conflict areas specific areas of guidance;
- the proposed scheme conflicts with basic planning policy, which was keen to keep visual green space between the houses.

The applicant' agent had registered to speak, and at the request of the Chair, addressed the following points:

- the applicant had worked collaboratively with officers over the last 18 months through a pre-application process, and submission of this planning application;
- the proposal removes poorly designed rear and side extensions and would be replaced with a side extension that is significantly set back from the existing façade, which would be maintained;
- In response to other objections, the officer had confirmed that the proposal would not unacceptably advance upon the neighbouring boundary line. Also,

the development would remove garages and hardstanding and replace these with areas of soft landscaping, which would visually improve the character and appearance of the property;
- the proposal would return to a family sized-unit, reflecting the area's prevailing property type, whilst also creating a new family home. The proposed design would be a sympathetic addition to a locally listed building and would be in keeping with the prevailing pattern of development in the conservation area.

Councillor Thomas Barlow (Ward Member for Village) had registered to speak and at the request of the Chair addressed number of key issues, including; the property was locally restricted in a conservation area and the proposed scheme could have a detrimental effect to the area. Contrary to Merton's local plan, and the London local plan was the loss of two units may seem a minor concern at the time of housing shortage this sets a dangerous precedent, as does the loss of garden space.

A Member raised concerns in relation to the building on the garden and the reduction in accommodation housing from four flats to one.

The Committee welcomed the proposal and considered the design and scale of the proposal to be acceptable.

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 20/P2882 be GRANTED planning permission, subject to conditions.

(The meeting was adjourned for a short break at 21:13 and resumed at 21:25)

9 3 HAMILTON ROAD, SOUTH WIMBLEDON, SW19 1JD (Agenda Item 9)

Proposal: Erection of a single storey rear and side infill extension and excavation of a basement level extension with installation of 1x light well grille to front of property and 1x glazed to rear.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda. An update on various matters relating to the amendments was also provided to the Committee.

A resident had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- the potential risks to this development due to previous flood risk which impacted on the community;
- concerns to loss of trees;
- impact on the character of the area;
- this development would not increase the housing stock in Wimbledon.

In the ensuing debate, Members' raised a number of points and comments. The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 20/P2774 be GRANTED planning permission subject to conditions.

10 GARAGES R/O 38 INGLEMERE ROAD, MITCHAM, CR4 2BT (Agenda Item 10)

Proposal: Demolition of garages and erection of 7x self-contained flats with associated parking and landscaping.

The Committee noted the report and the plans presented by the Development Control Team Leader (South).

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 20/P1722 be GRANTED planning permission subject to relevant conditions and s106 agreement for a permit free development.

11 52 PARKWAY, RAYNES PARK, SW20 9HF (Agenda Item 11)

Proposal: Erection of raised timber decking in the rear garden with privacy screen.

RESOLVED that the application number 20/P3898 be DEFERRED.

12 19A - 19F PRINCE'S ROAD, WIMBLEDON, SW19 8RQ (Agenda Item 12)

Proposal: Application to determine whether prior approval is required in respect of erection of second floor extension in connection with creation of two self-contained flats (2 x 1 bedroom)

The Committee noted the report and the plans presented by the Development Control Team Leader (North).

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- the residents would be directly affected by the proposed development from a visual perspective;
- loss of outlook and light;
- the proposal would be damaging the character of the conservation area;
- impact on the immunity of the existing building and neighbouring properties;

- scale and design would harm the character and appearance of the conservation area and have a harmful effect in the living conditions of neighbouring occupiers;
- concerns with the proposed design of the development.;
- it would be incongruous to the surrounding buildings;
- the roof colour was not in keep with the existing building when the existing buildings all had traditional sloping tiled roofs, and the grey rendering would also be visually, unlike any other building in the vicinity.

The applicant had registered to speak, and at the request of the Chair, informed that Committee that the proposal was for a one storey, to create two one bedroom flats on the roof space of 19 Princes Road. This site was located close to buses, trains, and underground. The proposed design was carefully considered to improve and modernise the overall building. Furthermore, there was no overlooking a property to the side due to there being no windows, daylight the sunlight report was submitted, past the nearest properties to the rear over 60 metres away, and 27 metres away, on the other side of the road.

At the request of the Chair, Councillor Paul Kohler (Ward Member for Trinity) addressed the Committee and reiterated the objectors concerns. He further stated that the development was excessive in height and would have a detrimental effect on neighbouring properties in the South Park Gardens Conservation Area. There were also concerns regarding the external appearance and impact on immunity.

In the ensuing debate, Members' raised a number of points and in response to Members' questions and comments the Development Control Team Leader (North) stated that, in terms of, parking, the plan proposed two parking space at the rear. It was further concluded that the scheme would be acceptable in terms of its impact on neighbouring immunity. Members' attention was drawn to the to the officer's assessment within the report.

A Member raised concerns regarding the appearance of the building and concerns that effects on the neighbours.

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 21/P0197 be GRANTED planning permission subject s106 agreement and conditions.

13 18D RIDGWAY, WIMBLEDON, LONDON, SW19 4QN (Agenda Item 13)

Proposal: Conversion of existing Class E Office into a single dwelling house C3.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda. An update on various matters relating to the amendments was also provided to the Committee.

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- extensive work had been undertaken prior to planning permission being granted;
- this proposal would not be for affordable housing for keyworkers for which there's a genuine need in the area;
- concerned in relation to the the safety of the vehicles moving on and off the site;
- the entrance off the ritual was very narrow gated alley, the battered walls on either side, or testimony to the number of vehicles, which had struggled to negotiate the entrance;
- concerns in relation to safety issues as it was difficult to see pedestrians on this very busy section of pavement;
- the property only had one small parking space, and no cycle storage facilities.

The applicant had registered to speak, and at the request of the Chair, addressed the objectors concerns. It was further stated that the proposal would be better as a small residential enclave, rather than a mixed use, with the conflict that brings about from residential units and commercial visitors. In conclusion, the change of the way of living, which the pandemic had brought problems were part of a change working patterns and reduced demand for commercial units. The proposal would provide a much needed housing accommodation with a good life work balance.

In response to Members' questions and comments the Development Control Team Leader (North) stated the previous application was refused, to extend this building, upwards with additional story, and convert it to a residential unit to a two story house, the refusal was not for a loss of existing use.

Members' welcomed the proposal, however, had concerns with regards to the access to the route.

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 21/P0008 be GRANTED planning permission subject to conditions.

14 51 STREATHAM ROAD, MITCHAM, CR4 2AD (Agenda Item 14)

Proposal: Change of use from single dwelling house to an HMO to provide seven rooms, including demolition of existing conservatory.

The Committee noted the report and the plans presented by the Development Control Team Leader (South). The Committee also noted the modification sheet contained in the supplementary agenda. An update on various matters relating to the amendments was also provided to the Committee.

In the ensuing debate, Members' raised a number of points and in response to Members' questions and comments, the Development Control Team Leader (South) stated in order to alleviate Members' concerns, a number of conditions had been attached to regulate the proposal.

In addition, if the applicant was granted, the applicant would have three months to carry out various remedial works to the property, including, the CCTV provision of external lighting. If the work had not been implemented by the date, then the proposed conditions would require the use to cease.

The Chair moved to the vote on the officer's recommendation and it was

RESOLVED that the application number 19/P1798 be GRANTED planning permission subject to conditions.

15 PLANNING APPEAL DECISIONS (Agenda Item 15)

The Committee noted the report.

16 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 16)

The Committee noted the planning enforcement report.

17 MODIFICATIONS SHEET (Agenda Item 17)

Members' noted the modifications sheet.

PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	**APPLICATION NO.**	**DATE VALID**
	20/P3866	17/12/2020

Address/Site Shaftesbury House, 2A Amity Grove, Raynes Park, SW20 0LJ.

(Ward) Raynes Park

Proposal: DEMOLITION OF EXISTING BUILDING AND ERECTION OF 5 STOREY (PLUS BASEMENT LEVEL) RESIDENTIAL BUILDING COMPRSING 14 SELF-CONTAINED FLATS AND A TWO-STOREY RESIDENTIAL BUILDING AT REAR COMPRISING 3 SELF-CONTAINED FLATS, WITH ASSOCIATED LANDSCAPING, REFUSE AND CYCLE STORES, ON-STREET BLUE BADGE PARKING AND A ROOFTOP PLANT.

Drawing Nos 0001, 1000 Rev B, 1001, 1002 Rev A, 1003 Rev A, 1004 Rev A, 1005 Rev A, 1006 Rev B, 2100 Rev A, 2101 Rev A & 3100 Rev A.

Contact Officer: Tim Lipscomb

RECOMMENDATION

Grant Planning Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of s.106 Agreement: Restrict parking permits for 6 units, Carbon offset commuted sum of £24,225.00, commuted sum (TBC) towards off-site children's playspace and late stage review for affordable housing)
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- DRP: No
- Press notice: No
- Site notice: No
- Number of neighbours consulted: 50
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No

- Controlled Parking Zone: Yes (RPN)
- Flood Zone 1
- PTAL: 5

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received contrary to the officer recommendation.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a three storey (with flat roof) building located on the eastern side of Amity Grove and towards the junction with Coombe Lane, Raynes Park. The building features a single storey entrance element to the front, a part-single, part-two storey element to the rear which incorporates a first floor balcony. A pre-existing small box style plant room was situated above the flat roof which has recently been demolished.

2.2 To the rear of the site is a car park with 11 parking bays. The vehicular access to the site from Amity Grove is a shared access used to service the rear of commercial units along Coombe Lane.

2.3 The building features brickwork to all elevations with the front façade being painted white and windows feature in the front, rear and southern flank elevations at all levels. The building is currently vacated and in a poor state of appearance but was formerly used as offices and benefits from prior approval to convert to 11 residential units, as well as planning permission granted under application ref. for 19/P1966 for an additional floor of accommodation to provide 3 x 1 bed flats.

2.4 Immediately to the north is a 1.2m wide pedestrian access way, beyond which are the rear gardens for residential properties at 2 Amity Grove (sub-divided into two residential units). Immediately to the south is a part two, part three storey parade with commercial units/shops at ground floor and flats above, the parade comprises a mixture of single storey and two storey rear extensions of varying depths, some of which house roof terraces; to the southeast corner of the site the parade steps up to 3 storeys in height. To the east of the site is a two storey wing of the Raynes Park Health Centre.

2.5 The site is located within Raynes Park Town Centre and is located to the rear of a primary shopping frontage. The site is located within a controlled parking zone (CPZ) has a public transport accessibility level (PTAL) of 5 (0 being the lowest and 6b being the best) being 180m from Raynes Park Station and having numerous bus routes in close proximity. The site is not located within a conservation area nor is it within the curtilage of a listed building. However, the site is directly adjacent to a row of terraced dwellings, known as ‘Shakespeare Villas’, which are Locally Listed.

2.6 The site has an area of approximately 0.046 Ha.

2.7 Amity Grove links with the A238 Coombe Lane at the southern end where there is egress only permitted onto the A238. Amity Grove is

two-way for the majority of its length reducing in width to a one-way section just to the south of the site.

2.8 The site is located in a Controlled Parking Zone (RPC) where parking and loading is controlled from Monday to Friday between 11am – Noon.

3. PROPOSAL

3.1 The proposal is for the demolition of the existing building on site and the erection of a five storey building (with basement) to the frontage of the site, to accommodate 14 flats and a two-storey building to the rear part of the site to accommodate an additional three flats.

3.2 The building would be constructed from facing brickwork, with buff brick diamond pattern detailing, with partly enclosed balconies. The top floor would be a standing seam metal panel roof.

3.3 The proposed building would have a maximum height of 17.8m (to the top of rooftop plant) with a height of 16.1m to the top of the flat roof. The building to the rear would have a maximum height of 6.2m to the top of the roof, although as the ground levels would be lowered by 0.6m, the overall height would be 5.6m above the existing ground level. The terrace would stand at 2.6m above the existing ground level height, with the privacy screen standing at a height of 1.8m.

3.4 The basement would accommodate 34 cycle parking spaces, 14 individual secure storage areas for residents and would be served by a lift and stairwell.

3.5 The roof of the frontage building would be a biodiverse roof and would also accommodate PV panels.

3.6 All units would have private amenity space in the form of either balconies, terraces or patio gardens.

3.7 The two-storey building proposed to the rear part of the site would feature ground level gardens for the two ground floor units and an expansive roof terrace at first floor level, which would be screened with a 1.7m high obscurely glazed panel.

3.8 An area to the frontage of the site would be landscaped and enclosed by steel railings. The landscaping would include the planting of three trees along with other soft and hard landscaping.

3.9 The schedule of accommodation proposed is as follows:

Level	Unit	Type	GIA (sqm)	External amenity space (sqm)
GF	01	1B/2 P	50	6

GF	02	1B/2P	50	32
GF	03	1B/2P	50	6
1F	04	1B/2P	50	6
1F	05	2B/30	74	8
1F	06	1B/2P	50	6
2F	07	1B/2P	50	6
2F	08	2B/4P	74	8
2F	09	1B/2P	50	6
3F	10	1B/2P	50	6
3F	11	2B/4P	74	8
3F	12	1B/2P	50	6
4F	13	1B/2P	50	6
4F	14	2B/4P	74	8
Building to rear. GF	15	1B/2P	59	14
GF	16	1B/2P	54	13
1F	17	2B/4P	78	33

3.10 The proposed housing mix is 67% one bed units and 33% two bed units.

3.11 A communal bin store would be situated near to the frontage of the site, accessed from the main foyer of the building.

3.12 One on-site disabled car parking space is also proposed to the frontage of the site.

3.13 The application was amended on 15.03/2021 following concerns raised by officers. The amendments are summarised as follows:

- Size of basement amended.
- Roof form of rear building altered, involving the loss of one unit.
- Lowering of ground levels of 0.6m for the building to the rear.
- Additional roof terrace shown to building at rear.
- Solar panels shown on roof.

3.9 The application was furthered amended on 11/06/2021 to show the disabled parking space to be located on site, rather than a new Blue Badge holder bay located on the public highway.

3.10 The application is accompanied by the following supporting documents:

- Basement Impact Assessment
- Daylight and Sunlight Impact Assessment, 10/03/2021
- Design and Access Statement, Version 1.1 March 2021
- Energy & Sustainability Statement, 10/03/2021
- Heritage Statement, October 2020
- Landscape design Statement 05.11.2020
- Noise Impact Assessment 09.11.2020
- Overheating Assessment, November 2020
- Planning Statement, November 2020
- Surface Water Drainage Strategy November 2020
- Transport Statement, June 2021
- Viability Study, December 2020 and amended Viability Study, March 2021

4. PLANNING HISTORY

4.1 Various historic decisions pertaining to former use of site including MER52/72: part three storey and part single storey office block with parking - Granted.

4.2 09/P2246: the use of vacant office floorspace [use class B1] at ground, first and second floor levels for education purposes [use class D1] - Grant Permission subject to Conditions 11-01-2010

4.3 15/P1214: Demolition of the existing three storey West Wimbledon College building [Use Class D1 - 526 square metres] and the erection of a new four storey building with additional basement level at the front of the site providing retail, financial services, business, non-residential institutions or assembly and leisure use [Use Class A1, A2, B1, or D1- 278 square metres] at basement and ground floor level with floor space to the rear of the commercial space and in a second detached building with floor space at basement and ground floor level providing a total of 9 flats (4 three bedroom; 3 two bedroom and 2 one bedroom) including 4 off street car parking spaces with vehicle access from Amity Grove - Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 16-07-2015.

4.4 17/P4083: Prior Approval in respect of the proposed change of use of office space (class C1a) to provide 11 residential units (class C3) - Prior Approval Not Required 31-01-2018.

4.5 18/P4148: Erection of a two storey building comprising of 3 x residential units with associated landscaping and cycle parking. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 14-10-2019

4.6 18/P4363: External alterations to facade including cladding, addition of balconies, reconstruction of plant room on roof, amendments to door and window openings, landscaping and associated works in connection with LBM ref. 17/P4083 for the prior approval for change use of office space (class B1a) to provide 11 residential units (class C3). Grant Permission subject to Conditions 14-01-2019.

4.7 19/P1966: Erection of an additional floor to create 3 x 1 bed flats, external alterations to facade including cladding, addition of balconies, reconstruction of plant room on roof, amendments to door and window openings, landscaping and associated works in connection with LBM ref. 17/P4083 for the prior approval for change use of office space (class B1a) to provide 11 residential units (class C3). Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 25-11-2019 – Permit free for dwellings.

4.8 20/P1610 – Pre-application advice sought for demolition of existing building and the erection of a 6 storey (plus basement) residential building comprising 17 flats and a terrace of 4 two storey dwellings to the rear.

5. CONSULTATION

5.1 Site notice posted, neighbouring properties notified. 19 representations were received, objecting on the following grounds:

- Query whether all units would be affordable.
- Insufficient parking on Amity Grove. Suggestion that area to the rear of the site be used for car parking.
- Suggestion that existing parking restrictions be extended.
- No on site space for delivery vehicles.
- Scale and sized proposed is disproportionate to Shakespeare Villas. Three or four storeys would be more reasonable.
- Overdevelopment and intrusive appearance.
- Adverse impact on sunlight, daylight and overlooking to neighbouring properties.
- Concerns regarding noise and disruption throughout construction process.
- Adverse impact on mental health during construction process.
- Devaluing of nearby properties.
- The proposed building should be no larger than the existing.
- Additional strain on local services and infrastructure.
- Congestion as a result of refuse collection and servicing.
- The front of the building and balconies, are too close to the pavement.
- Assertion that a tree was illegally removed from the frontage of the site.
- Queries regarding shared vehicular access throughout construction process.

- A disabled parking space would be created on the road – query whether this would be for any user or residents only.
- Daylight and Sunlight Analysis clearly indicates that neighbouring properties would suffer an unacceptable loss of light.

5.2 Following amendments to the application to reduce the size of the proposed building to the rear, a further 4 objections were received, objecting on the following grounds:

- Adverse visual impact
- Harm to neighbouring amenity from building to the rear.
- Congestion and parking concerns

5.3 Residents Association of West Wimbledon:

-
- Fails to respond positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings and existing street patterns. Harmful to the setting of a heritage asset.
- Adverse impact to Shakespeare Villas
- Adverse impact in terms of sunlight and daylight.
- Loss of privacy.
- Poor quality amenity space and accommodation.
- Concerns regarding deliveries, parking and refuse arrangement.
- S.106 to restrict parking permits is required.
- No affordable housing contribution proposed.

5.4 Additional comments from Residents Association of West Wimbledon following amendments to the proposal:

Comments remain as per above.

5.5 Amity Grove Residents' Association

- Fails to respond positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings and existing street patterns. Harmful to the setting of a heritage asset.
- Overly dense.
- Limited amenity space.
- Excessive height.
- Building would stand forward of Shakespeare Villas.
- Balconies are very close to the street and would result in a cluttered appearance.
- Overlooking from rear facing windows and balconies proposed.
- Query over use of access road to the side of the site.
- Query as to where construction vehicles would be accommodated.
- No provision for on-site disabled parking.
- Restriction of parking permits is required.

- Loss of light and visual intrusion to Shakespeare Villas.

5.6 The Wimbledon Society:

- Over-development, overly dominant and excessive height.
- Insufficient space for landscaping
- Flats are only just dual aspect and outlook is very limited.
- Concerns regarding use of gas boilers.
- Use of metal panels is incongruous and does not reflect the materials of the area.

Internal consultees.

5.7 Future Merton/Planning Policy:

The proposal will make a useful contribution to meeting Merton's strategic housing target (918 homes annually) and Merton's 5-year housing land supply requirement.

The proposal is accompanied by a financial viability report supporting the position that provision of affordable housing in accordance with the Development Plan policy requirement would make the scheme unviable therefore no affordable provision is proposed. The financial viability report will need to be independently assessed and the assessment should include recommendations on what alternative viable affordable housing provision can be made by the applicants should the independent assessment support the position put forward in the applicant's financial viability report.

The scheme proposes a total of 18 additional homes consisting of 67% 1 bed and 33% 2 bed homes. However, whilst a more equally proportioned split of 1 and 2 bed homes, would more effectively contribute to addressing the borough's housing needs, it is also acknowledged that:

A) Assessment needs to establish the appropriate balance to be struck between this current proposal's individual merits and the materiality and weighting given to the extant permissions.

B) The site is in a high PTAL location where in accordance with the Development Plan a higher proportion of one and two bed homes are generally more appropriate (e.g. as set out within London Plan Policy H10A bullet point 6).

5.8 LBM Transport planner (comments in relation to original proposal):

Car Parking

- No onsite parking is proposed.
- Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding

controlled parking zones to be secured by via S106 legal agreement.

Disabled Bay

- The proposed on street disabled space is not acceptable. Disabled space should be sited within the curtilage of the site.
- The proposal identifies 2 adaptable units which are Part M4 (3) compliant, comprising 10% of the overall accommodation.
- Disabled persons parking should be provided for new residential developments. Residential development proposals delivering ten or more units must, as a minimum:

  1) ensure that for three per cent of dwellings, at least one designated disabled persons parking bay is available from the outset
  2) demonstrate on plan and as part of the Parking Design and Management Plan, how an additional seven per cent of dwellings could be provided the remaining bays to a total of one per dwelling for ten per cent of dwellings can be requested and provided when required as with a designated disabled persons parking space in the future upon request. This should be provided as soon as existing provision is shown to be insufficient.
  3) All disabled persons parking bays associated with residential development must be for residents' use only (whether M4(2) or M4(3) dwellings).

Cycle Parking

- 30 long stay, 2 short stay) secure and covered cycle spaces for residents will be provided on site which satisfies the London Plan standards (in accordance with the draft New London Plan Cycle Parking Standards.

Deliveries and Refuse arrangements

- The applicant fails to provide information on deliveries and parking arrangements for service vehicles for the 18 units. Highways have particular concern that the proposed number of trips to the site from deliveries serving the residential development, such as for food and internet shopping is likely to be higher, particularly given increased rates of internet shopping and home working which have been exacerbated by the Covid-19 pandemic.
- Any servicing carried out along Amity Grove would have a significant impact on the free flow of traffic and inconvenience to all users of the road.
- The applicant to consider a turning area within the site to accommodate service vehicles and refuse vehicles.

Policy:

- Sites and Policies Plan DMT3 car parking and servicing standards

  g) New development or modification to existing development should make proper provision for loading and servicing in accordance with Freight Transport Association (FTA) guidance, except when a development would impact on a listed build designated conservation area then facilities will be considered on case by case basis.

  Support Text item 9.43 also states: Servicing should be provided off-street in accordance with Freight Transport Association guidelines to minimise the impact on congestion and the safe movement and operation of traffic. Where this is not possible or there is a need to protect the character of a historic building/conservation area then alternative approaches should be explored to mitigate potential adverse impacts on the road network as part of the accompanying Transport Assessment or Access statement.

Refuse

- Large number of bins would result in extended dwell time during refuse collection, to be undertaken from Amity Grove.
- The extended dwell time would essentially shut off the road for other vehicles and road users during collection periods given the size of the refuse collection vehicle and presence of on street parking on both sides of the Amnity Grove carriageway.

Recommendation: Until the above issues been clarified, I am unable comment further on this application.

5.9 LBM Highways

No objection subject to (standard) conditions and informatives:
H1 (Vehicle access – details to be submitted),
H2 (Vehicle access – to be provided),
H3 (Redundant crossovers),
H5 (Visibility Splays),
H10 (Construction vehicles, washdown facilities, etc) and
H13 (Construction Logistics Plan)
Inf 8 (Construction of accesses),
9 (Works on the public highway) and
12 (Works affecting the public highway)

5.10 LBM Environmental Health Officer (Contaminated Land):

No objections, conditions recommended.

5.11 LBM Environmental Health Officer (noise):

No objection, conditions recommended in relation to noise levels and the submission of a Demolition and Construction Method Statement

1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.

2) Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020, must be implemented as a minimum standard for the development.

3) No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

-hours of operation
-the parking of vehicles of site operatives and visitors
-loading and unloading of plant and materials
-storage of plant and materials used in constructing the development
-the erection and maintenance of security hoarding including decorative - displays and facilities for public viewing, where appropriate
-wheel washing facilities
-measures to control the emission of noise and vibration during construction.
-measures to control the emission of dust and dirt during construction/demolition
-a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of future occupiers and those in the local vicinity.

5.12 LBM Climate Change Officer:

No objection subject to conditions relating to energy efficiency and water usage.

Carbon off-set payment of £24,225.00 for 17 units.

5.13 LBM Tree and Landscape Officer:

No arboricultural issues. Suggest imposing conditions F1 (Landscaping/planting scheme and F2 (Landscaping – implementation).

5.14 Metropolitan Police Designing Out Crime Officer:

Summary of comments:

- I have a few concerns about the entrance, there appears to be a void area at the porched entrance ideal for concealment. This area should be redesigned to be more open.

- Suggest side facing door to Unit 02 to open onto the access road.
- Raise concern over possibility of graffiti to side wall of bin store.
- Suggest entrance lobbies have a second set of access controlled doors.
- The basement storage area should have appropriate CCTV.
- Advise that a lighting scheme across the site be implemented.

Condition recommended in relation to security measures and Secured by Design objectives and certificate.

A. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

B. Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

5.15 Independent Financial Viability Advisors (Altair Ltd):

From our analysis of the applicant's viability assessment we conclude that an affordable housing contribution is not currently possible from the proposed development.

We recommend that the Council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal.

5.16 Merton Green Party:

Policy CS8 in the Council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's application form states that none of the 18 units will be affordable housing. We ask the Council to require that its 40% target be met.

6. **POLICY CONTEXT**

6.1 National Planning Policy Framework (2019):

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

6.2 London Plan (2021):

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D9 Tall buildings
D10 Basement development
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H4 Delivering affordable housing
H5 Threshold approach to applications
H6 Affordable housing tenure
H7 Monitoring of affordable housing
H10 Housing size mix
S4 Play and informal recreation
HC1 Heritage conservation and growth
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 10 Aggregates
SI 13 Sustainable drainage
T1 Strategic approach to transport
T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.3 Retail parking

T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

6.3 Merton adopted Core Strategy (July 2011):
CS 8 Housing choice
CS 9 Housing provision
CS 11 Infrastructure
CS 13 Open space, leisure and nature conservation
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Active Transport
CS 20 Parking servicing and delivery

6.4 Merton adopted Sites and Policies document (July 2014):
DM H2 Housing mix
DM H3 Support for affordable housing
DM E4 Local employment opportunities
DM O2 Nature conservation, Trees, hedges and landscape features
DM D1 Urban Design and the public realm
DM D2 Design considerations
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM F2 Sustainable urban drainage systems (SUDs) and: Wastewater and Water Infrastructure
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

6.5 Other guidance:
National Design Guide – October 2019
Draft Merton Local Plan
DCLG: Technical housing standards - nationally described space standard March 2015
Merton's Design SPG 2004
GLA Guidance on preparing energy assessments – 2018
London Environment Strategy - 2018
Mayor's Air Quality Strategy - 2010
Mayor's SPG - Housing 2016
Mayor's SPG – Sustainable Design and Construction 2014
Mayor's SPG – Character and Context 2014
Mayor's SPG – Affordable Housing and Viability 2017
Mayor's SPG – Play and Informal Recreation 2012
LB Merton – Air quality action plan - 2018-2023.
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
LB Merton - Basement and Subterranean Planning Guidance March 2017

7. PLANNING CONSIDERATIONS

Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development

- Planning history
- Need for additional housing and residential density
- Design and impact upon the character and appearance of the area
- Basement considerations
- Affordable Housing
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Safety and Security considerations
- Refuse storage and collection
- Sustainable design and construction
- Drainage
- Response to issues raised by objectors

7.1 Principle of development

7.1.1 Policy H1 of the London Plan 2021 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.1.2 The principle of the loss of office space and conversion to residential use has already been established by the extant Prior Approval change of use application (17/P4083). In addition to the previous approvals, the current proposal seeks to demolish the existing building and construct a five storey building in its place and a two storey building to the rear of the site.

7.1.3 The site is within Raynes Park Town Centre and represents brownfield land. The site has a good public transport accessibility level (PTAL) of 5 (with 0 the worst and 6b being excellent). The proposals would provide additional residential units, thereby meeting NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of sites at higher densities.

7.1.4 Given the above, it is considered the proposal is acceptable in principle, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents as detailed in the relevant sections below.

7.2 Planning history

7.2.1 It is noted that applications have been granted on the site, which allow for a residential use of the building with an additional floor of accommodation added, to form a 4 storey building. In addition, permission has been granted for a two-storey building to the rear part of the site.

7.2.2 The current proposal seeks to demolish the existing building and erect a 5 storey building, with an additional two-storey building to the rear part of the site.

7.2.3 In terms of the scale and form of the approved in comparison to the proposed, the table below shows the key measurements of each proposal:

	Previous permissions	Current proposal
Frontage building:		
Max. height	15m	17.8m
Height to front parapet	13.3m	16.1m
Building to rear:		
height	5.73m (5.73m* above existing ground level)*	6.2m (5.6m* above existing ground level)

*The ground levels to the rear of the site are shown to be reduced by 0.6m in the current proposal, in comparison to the previous approvals.

7.2.4 Therefore, whilst permissions have been granted for use of the building as residential, with an additional floor and permission has been granted for a two-storey residential building to the rear, the current proposal is a major planning application which is subject to affordable housing contributions and potentially carbon offset contributions and the impact of the additional height of the building proposed is the key difference over and above what has been previously granted on site, along with the changes to the layout of the building to the rear including the proposed terrace.

7.3 Need for additional housing and residential density

7.3.1 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy H1 of the new London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London borough of Merton is 9,180 (i.e. 918 per year)

7.3.3 Against the requirement of 918 units per year, which equates to 4083 over 5 years (the year 20/21 would remain as per the previous London Plan target), the London Borough of Merton can demonstrate a supply of 4369 units, a provision of 107% of the required five year land supply.

7.3.4 Notwithstanding the above the scheme would make a valuable contribution towards the Council's housing stock.

7.3.5 Policy D3 of the new London Plan requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

7.3.6 The proposed development would have a density of 369 dwellings per hectare.

7.3.7 New London Plan, Policy D6 sets out that:

> "Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:
> 1. the site context
> 2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
> 3. the capacity of surrounding infrastructure"

7.3.8 The new London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.3.9 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.4 <u>Design and impact upon the character and appearance of the area</u>

7.4.1 The NPPF, London Plan policies D3 and D4, Core Strategy policy CS 14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context. Thus, development proposals must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

7.4.2 *Massing and heights*

7.4.3 The site occupies an area that borders on an area of commercial frontages and also stands adjacent to long established residential properties, which exhibit strong archictectural uniformity. The site stands in a transition area, given the existing commercial building on site and therefore it is important that the correct balance is struck in terms of the bulk and massing of the building to ensure that it respects the established residential character to the north whilst responding positively to the larger scale development to the west and south.

7.4.4 Previous permissions on the site have resulted in a building with a parapet height similar to the ridge height of the adjacent Shakespeare Villas, whereas the current scheme would exceed the height of the adjacent Shakespeare Villas. However, this in and of itself does not mean that the proposed development would result in material harm to the character and appearance of the area.

7.4.5 The scheme has been carefully designed to minimise the proposed bulk and massing with a suitable set back from the road, a step-in, in the building line, from the adjacent Shakespeare Villas and the incorporation of brickwork detailing that would partly animate the flank walls. It is noted that the top floor is set back from the front of the building, which would go some way in minimising the visual bulk and massing proposed.

7.4.6 It is noted that directly opposite the site is a six storey building (Travel Lodge and Post Office below at ground floor) and officers consider that the additional height over and above the existing building, would not result in such an adverse impact on the setting of the adjacent Shaespeare Villas as to raise concern on this basis. The proposed building would be higher than the neighbouring buildings but officers conclude that the bulk, massing and heights proposed of the two proposed buildings would be suitable in terms of the character and appearance of the area.

7.4.7 *Layout*

7.4.8 The proposed layout allows for a clear entrance to the building, with bin storage and bike store accessible on site.

7.4.9 The proposed building line (of the main frontage building) does not protrude further than the existing building line at the rear and the massing of the rear building is similar to the consented.

7.4.10 The layout is based on sound urban design principles and is considered to represent an optimisation of the site.

7.4.11 *Design and appearance*

7.4.12 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning

documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

7.4.13 The application site is not located in a conservation area and the character of Amity Grove is formed by the variety that is present in terms of the design, scale, form and appearance of nearby buildings. This variety incudes a flat roofed three storey block of 9 flats at 14 Amity Grove, located immediately to the north of Shakespeare Villas. On the opposite side of Amity Grove is the two storey pitched roof NHS clinic building. Other two storey residential properties in Amity Grove have variety in their design and form with different front bays in front elevations and different roof forms.

7.4.14 The application site is adjacent to the rear of buildings fronting Combe Lane that are two and three storeys in height. These buildings include a part two, part three storey building on the corner of Coombe Lane and Amity Grove and a three storey building at 42 Coombe Lane. The six storey building called Durham House that has a flat roof is directly opposite the application site in Amity Grove. Raynes Park Health Centre is located to the rear of the application site and this building is 4 storeys in height.

7.4.15 In terms of the application site this is currently occupied by a three storey building with a flat roof. The main roof of the existing building is 3.8 metres lower than the roof ridge of the adjacent property at 2 Amity Grove. The proposed building would stand 2.7m higher than the ridgeline of the adjacent Shakespeare Villas.

7.4.16 Officers note that the proposed building is taller than the adjacent Shakespeare Villas. However, the proposed design is considered to respond well to the scale of the surrounding area, noting the other taller buildings in the vicinity, and would optimise the site, whilst not over-powering the adjacent locally listed buildings.

7.4.17 The materials proposed are considered to reflect the surrounding area and in particular the neighbouring locally listed Shakespeare Villas to the north by the use of red terracotta cladding of similar colour and white cladding to the ground floor and entrance. The use of contrasting cream and bronze elements does well to break up the large facades and the materials in general are considered to reflect the contemporary design of this development. The proposed fenestration is considered to be acceptable, by maintaining consistent spacing and heights. The proposed landscaping, boundary treatment and cycle store are considered to be of a good quality design which would improve the visual amenity of the site.

7.4.18 It is considered that the design and appearance of the proposed building and other external works would respect and enhance the character of the surrounding area and the development is in keeping with the surrounding area. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development. The proposal is considered in accordance with London Plan policies D3 and D4, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3.

7.4.19 It is noted that a pre-application version of the scheme was presented to the Design Review Panel in August 2020, the key comments from the DRP were:

- Form and scale of the building was over dominant and not related to the local context sufficiently.
- Positive elements to its general appearance and the position of the front elevation.
- Mews approach to the rear was appropriate and could work.

7.4.20 The scheme which went before the DRP was also for a five storey building but the top floor was not setback or finished in a contrasting material. In addition, the balcony to the rooftop unit would be an open balcony with balustrades as opposed to an enclosed continuation of the brick frontage of the building (as the floors below are).

7.4.21 Officers note that the current scheme has not gone before the DRP. However, as a matter of judgement it is considered that the current proposal, which significantly reduces the number of units proposed, has struck the correct balance in terms of its height and form and the impact on the adjoining Shakespeare Villas.

7.5 Basement considerations

7.5.1 Policy D10 (Basement development) of the London Plan states that Boroughs should establish policies in their Development Plans to address the negative impacts of large-scale basement development beneath existing buildings, where this is identified as an issue locally. Large –scale developments are basements which are multi-storey and/or those that extend significantly beyond the existing building footprint). Policy DM D2 sets out a number of requirements relating to structural stability and hydrology for basement development.

7.5.2 Building Regulations deal with the structural integrity of a building but do not cover the impact on neighbourhood amenity of the construction process or the finished development; this is covered by the planning system.

7.5.3 The application is accompanied by a Basement Impact Assessment which sets out that the proposed works have been designed to safeguard the structural stability of the nearby buildings and the adjoining highway. The report considers the existing construction and ground conditions, a possible sequence of construction and the impacts on surrounding structures. To demonstrate the feasibility of the proposed subterranean development, supplementary drawings have also been provided.

7.5.4 Officers conclude that the proposed basement would not have a significant impact on neighbouring amenity, as it would be a non-habitable area with no additional lightwells etc. Therefore, the proposed basement element of the proposal is considered to be in line with planning policy. Specific details of the construction process can be secured by condition in any event.

7.6 Affordable Housing

7.6.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.6.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.6.3 The application is accompanied by a financial viability assessment which indicates that the proposal would not be able to deliver any on-site affordable housing or a commuted sum and remain financially viable.

7.6.4 This assessment has been scrutinised by independent financial viability assessors, employed by the Council, who conclude that the scheme is not able to provide any on-site affordable housing or commuted sum and remain viable. Therefore, officers recommend that the legal agreement includes a clawback mechanism to ensure that any potential uplift in profit can be utilised for affordable housing contributions.

7.7 Impact upon neighbouring amenity

7.7.1 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.7.2 *Privacy and overlooking*

7.7.3 The property to the north features window openings in its flank facing elevation at first and second floor level and the upper level residencies to the south have facing windows towards the development. The proposal would introduce new side facing windows to the north and south. Where these windows would overlook neighbours they can be obscured by way of condition, as the majority of the rooms the windows serve are dual aspect. As such, these side facing windows are not considered to impact upon neighbouring privacy. However, as set out above, it is considered that a condition can reasonably be included to restrict the proposals regular side facing windows to the north and south to be obscured and non-openable to 1.7m.

7.7.4 The balconies to the front and rear would not offer an increased level of overlooking than that which already exists and would make use of 1.8m obscure glazed screenings to the sides to limit potential overlooking and loss of privacy to neighbouring amenities. It is considered this arrangement would be acceptable and a condition is included requiring the implementation and retention of the obscured screenings to safeguard this.

7.7.5 The building to the rear would feature an extensive roof terrace at first floor level, in close proximity to the neighbouring properties to the north at 2 Amity Grove. The proposed roof terrace would be enclosed by a privacy screen and whilst the building and roof terrace would be visible from the gardens and rear windows of neighbouring properties, subject to suitable screening, there would be no direct issue of overlooking or loss of privacy in planning terms.

7.7.6 *Loss of light, shadowing and visual intrusion*

7.7.7 Whilst the proposal would increase in vertical mass and could therefore result in additional shadowing and loss of light to surrounding properties, the orientation of the site and sun path is such that this would primarily occur towards no.2 Amity Grove to the north.

7.7.8 The submitted Daylight and Sunlight Analysis considers the impact on neighbouring windows and gardens, taking into account the light from the sky in terms of Vertical Sky Component, No-Sky Line and taking into account sunlight in terms of Annual Probable Sunlight Hours and sunlight on gardens and open spaces.

7.7.9 The proposed development would result in an uplift in built form on the site. The main frontage building would be two-storeys higher than currently exists and a new two-storey element would be erected to the rear (albeit set down into a lower ground level and with a flat roof). Therefore, there will be a change in the visual appearance of the site, which will be apparent from neighbouring properties.

7.7.10 The separation distances to properties to the south are such that whilst there would be some impact in terms of outlook, this would not amount to material harm. In terms of sunlight, being to the south, this impact would also not be materially harmful. In terms of daylight, the most affected properties to the south are 58-62 Coombe Lane. Below are the key impacts on these properties:

- 58-62 Coombe Lane: 4 windows fail to meet the VSC recommendations, however, all 4 windows experience a loss factor only marginally above the recommended 20% (20.2% to 22.0%)

- 58-62 Coombe Lane: 1 room fails to meet the NSL recommendations, however, it experiences a loss factor only marginally above the recommended 20% (26.6%) and continues to have sky view in more than 70% (73.4%) of the internal area.
- 64 Coombe Lane: 1 room fails to meet the NSL recommendations, however, it experiences a loss factor only marginally above the recommended 20% (21.3%) and continues to have sky view in more than 75% (78.5%) of the internal area.

- 66 Coombe Lane: All rooms meet the NSL recommendations except Room 48. However, the room experiences a loss factor only marginally above

the recommended 20% (29.1%) and continues to have sky view in more than 65% (68.3%) of the internal area.

7.7.11 In terms of properties to the north, the key impact is on the directly adjacent property (flats 1 and 2 at 2 Amity Grove), where the rear garden is sub-divided to allow for a separate garden for each flat.

7.7.12 The side facing windows to No.2 Amity Grove are already obscured by the existing building and no reasonable objection can be raised in terms of the impact on these side facing windows. The key impacts to consider are the impact on the main rear facing windows and light to the garden area.

7.7.13 The rear facing windows would not be significantly affected by the proposed development as the main frontage building would be in a similar position to the existing and the building to the rear would have a modest overall height.

7.7.14 In terms of light to gardens, the BRE guidance set out:

Sunlight on gardens and open spaces:

- At least half of the garden space should receive at least 2 hours of sunlight on 21st March.
- The area that receives at least 2 hours of sunlight on 21st March is more than 0.8 times its former area (before the new development).
- Where a detailed calculation cannot be carried out, the centre of the garden should receive 2 hours of sunlight on 21st March.

7.7.15 The submitted Daylight and Sunlight Analysis concludes, in relation to the garden spaces at No.2 Amity Grove, that “all garden spaces continue to receive adequate sunlight and are not seen to be negatively affected by the proposed development.” Officers acknowledge that there would be a significant change in outlook from this property. However, the building to the rear would have a similar impact to that previously approved and the additional height to the frontage building is not considered to have such an adverse impact on neighbouring amenity to warrant a refusal.

7.7.16 Below is a summary of the main impacts relating to daylight and sunlight:

VSC: 73% of the assessed windows meet the recommendations for the VSC. A minor impact is seen on properties 54 and 58-62 Coombe Lane with a loss only marginally above the recommended 20%.

NSL: 74.4% of the assessed rooms meet the recommendations for the no-sky line. A minor impact is seen on properties 54, 58-62, 64 and 66 Coombe Lane with a loss only marginally above the recommended 20%

APSH: The APSH have been calculated for all existing south facing windows. 64.0% of all tested windows

meet the recommendations for the APSH with only the windows located on the side façade of 2 Amity Grove failing to meet the APSH recommendations.

7.7.17 According to BRE report paragraph I6, the impact is assessed as 'minor' when only a small number of windows are affected, or the loss of light is only marginally outside the guidelines. The proposed development will have a 'minor' impact on the daylight and sunlight received by the neighbouring amenities.

7.7.18 Therefore, members will see that the increased bulk and massing would have some minor impact on neighbouring properties in terms of light and outlook. However, Officers consider that the proposed scale and form of the development is such that permission could reasonably be granted.

7.7.19 In conclusion and following assessment of the development including the site context, the building heights, the nature of the existing residential accommodation and the separation distances between buildings, it is considered that the proposed development will not give rise to materially harmful visual intrusion, loss of daylight or sunlight, or loss of privacy to adjacent residential occupiers. The development is considered in accordance with Sites and Policies Plan policy DM D2.

7.8 Standard of accommodation

7.8.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).

7.8.2 All units would meet or exceed the minimum GIA and private external amenity space requirements of the London Plan.

7.8.3 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants. Policy S4 of the London Plan deals with the provision of children's playspace.

7.8.4 The London Plan also sets out that: "Off-site provision, including the creation of new facilities or improvements to existing provision, secured by an appropriate financial contribution, may be acceptable where it can be demonstrated that it addresses the needs of the development whilst continuing to meet the needs of existing residents. This is likely to be more appropriate for the provision of play facilities for older children, who can travel further to access it, but should still usually be within 400 metres of the development and be accessible via a safe route from children's homes."

7.8.5 The proposed development has a play space requirement of 22.1sqm, as calculated through the GLP Population Yield Calculator. Officers conclude that an area of this size would not provide for a functional, useable play area for children and as such this matter would be more appropriately addressed by way of a

commuted sum towards existing or new play space provision in the locality. This matter would be addressed by way of legal agreement.

7.9 Transport, parking and cycle storage

7.9.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.9.2 The provision of cycle parking would meet the requirements of the London Plan and no objection is raised on this basis.

7.9.3 Following amendments to the plans, the scheme now includes one on-site disabled parking space for occupiers of the development. This provision also falls in line with London Plan policies.

7.9.4 The provision of an on-site space as opposed to using the public highway would mean that sufficient space is retained to the frontage of the site to allow for on-street servicing by a Council refuse vehicle. Therefore, the concerns raised in relation to the parking and servicing arrangements in the originally proposed layout are considered to be overcome.

7.9.5 In order to prevent the increase of on street parking pressure in the local area, future occupiers of the proposed units should be restricted from obtaining permits for the CPZ and this should be secured by way of a legal agreement. It is acknowledged that the future occupants of the prior approval scheme were not restricted from obtaining permits, and therefore it is considered it would be unreasonable to enforce restrictions upon these units given the fall-back position.

7.10 Safety and Security considerations

7.10.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.10.2 The comments of the Secured by Design Officer have been carefully considered. However, the entrance arrangements are considered sound and would not provide an area for concealment to the extent that the building should be redesigned. Whilst an entrance from Unit 02 onto the access road may provide additional natural surveillance and activity, it would also mean an entrance directly onto a thoroughfare with no opportunity for defensible space. Other matters raised can be addressed through condition.

7.10.3 The proposal is considered to be acceptable in terms of safety and security considerations.

7.11 Refuse storage and collection

7.11.1 Policies SI8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.11.2 A storage area for refuse has been indicated on the ground floor, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this. As outlined above, the concerns initially raised by the Transport Planner are now overcome as sufficient space would be retained on the highway for servicing purposes.

7.12 Sustainable design and construction

7.12.1 London Plan policies SI 2 to SI 5 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.12.2 As per CS policy CS15, major residential developments are required to achieve a 35% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The development would not achieve this on-site and therefore officers recommend that the carbon off-set commuted sum of £24,225.00 be secured by way of legal agreement.

7.12.3 Subject to conditions and legal agreement, the proposal is considered to be acceptable in terms of sustainable design and construction.

7.13 Drainage

7.13.1 Policy SI 13 of the London Plan (Sustainable drainage) sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features.

7.13.2 The application is accompanied by a Surface Water Drainage Strategy which sets out a number of measures that will reduce surface water run-off on the site. These include:

- Approximately 220m2 of green roof.
- Permeable paving
- Buried attenuation tanks to be provided (11 cubic metres).

7.13.3 The proposed attenuation tanks and green roof, will reduce peak runoff rates by between 78-92%. The proposed drainage strategy will result in a decrease in the volume of runoff from the site due to the green roofs, permeable paving and landscaped areas. The

surface water drainage system will be maintained by a management company.

7.13.4 Officers conclude that subject to condition, to ensure these measures are employed, that the proposed development would be acceptable in terms of drainage and runoff.

7.14 Response to issues raised by objectors:

7.14.1 The issues raised by objectives are mainly addressed in the body of this report. However, in addition, the following response is provided:

- Whilst there would be some limited and transient disturbance throughout the construction process, this could not reasonably form a reasonable reason for refusal. However, safeguarding conditions to minimise the impact of the construction works are recommended.
- Whilst the impact on the character of the area and neighbouring amenity is a material planning consideration, the impact on local property values is not a matter that can reasonably form a material planning consideration.
- In terms of shared vehicular access throughout the construction process – the granting of planning permission does not overrule any other covenants or agreements with other landowners.
- The Daylight and Sunlight Analysis is a tool to indicate the likely impact on neighbouring amenity but is not necessarily determinative of whether permission should be granted or not. Members should take the daylight and sunlight analysis into account when considering the impact on neighbouring amenity and making the overall planning judgement.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. Conclusion

9.1 Officers consider the proposal is acceptable in principle, providing a residential development at an increased density, in line with planning policy. The proposal is considered to be a well-considered design, appropriately responding to the surrounding context in terms of massing, heights, layout and materials whilst optimising development across the site.

9.2 The proposed development would not have a harmful impact on the visual amenities of the area. The proposal would not unduly impact upon neighbouring amenity. The proposal would not unduly impact upon the highway network, including parking provisions (subject to Section 106 Obligations). The proposal would achieve suitable refuse and cycle storage provisions.

9.3 Officers conclude that the proposal accords with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case.

9.4 It is therefore recommended to grant permission subject to conditions and a Section 106 Agreement.

RECOMMENDATION: Grant Permission Subject to Section 106 Obligation covering the following heads of term;

- 6 of the proposed flats are to be parking permit free residential units
- Carbon offset commuted sum of £24,225.00
- Late stage review for affordable housing contributions.
- Commuted sum towards off-site children's playspace (TBC)
- The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.
- The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of development (full application)

2. A7 Approved Plans

3. The development shall be carried out in accordance with the recommendations of the following approved documents:
   - Basement Impact Assessment
   - Design and Access Statement, Version 1.1 March 2021
   - Energy & Sustainability Statement, 10/03/2021
   - Heritage Statement, October 2020
   - Landscape Design Statement 05.11.2020
   - Noise Impact Assessment 09.11.2020
   - Overheating Assessment, November 2020
   - Planning Statement, November 2020
   - Surface Water Drainage Strategy November 2020
   - Transport Statement, June 2021

   Reason: For the avoidance of doubt and in the interests of proper planning

4. B3 External Materials as Specified

5. C04 Obscured Glazing (Non-Opening Windows)

6. C07 Refuse & Recycling (Implementation)

7. C08 No Use of Flat Roof

8. C09 Balcony/Terrace (Screening)

9. D10 External Lighting

10. F1 (Landscaping/planting scheme)

11. F02 Landscaping (Implementation)

12. H1 (Vehicle access – details to be submitted)

13. H2 (Vehicle access – to be provided)

14. H3 (Redundant crossovers)

15. H04 Provision of Vehicle Parking

16. H5 (Visibility Splays)

17. H07 Cycle Parking to be implemented

18. H10 (Construction vehicles, washdown facilities, etc)

19. H13 (Construction Logistics Plan)

20. Non Standard Condition. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and the London Plan.

21. Non Standard Condition. Prior to the first occupation of the development hereby approved a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and the London Plan.

22. Non Standard Condition. No development shall commence until the following details have been submitted to and approved in writing by the Local Planning Authority:
    a) Detailed Demolition Method Statement produced by the Contractor appointed for demolishing the existing building.
    b) Detailed Construction Method Statement produced by the Contractors appointed for the piling, excavation and construction of the basement. This shall be reviewed and agreed by the Structural Engineer designing the basement.

c) Structural drawings of the secant piled retaining wall and construction sequence drawings of the temporary works.
d) Design calculations of the secant piled and temporary works.
e) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from pre-construction to completion of the project works as recommended by the Construction Method Statement. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the contingency measures for different trigger alarms.
f) The development shall be carried out in strict accordance with the approved details.
g) Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties

23. A preliminary risk assessment, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA.
Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

24. The approached remediation shall be completed prior to completion. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.
Reason: To protect the health of future users of the site in accordance with policy E7, part B, section 3f of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

25. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

26. Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020, must be implemented as a minimum standard for the development.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

27. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:

-hours of operation
-the parking of vehicles of site operatives and visitors
-loading and unloading of plant and materials
-storage of plant and materials used in constructing the development
-the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
-wheel washing facilities
-measures to control the emission of noise and vibration during construction.
-measures to control the emission of dust and dirt during construction/demolition
-a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of future occupiers and those in the local vicinity.

28. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved documents, and wholesome water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

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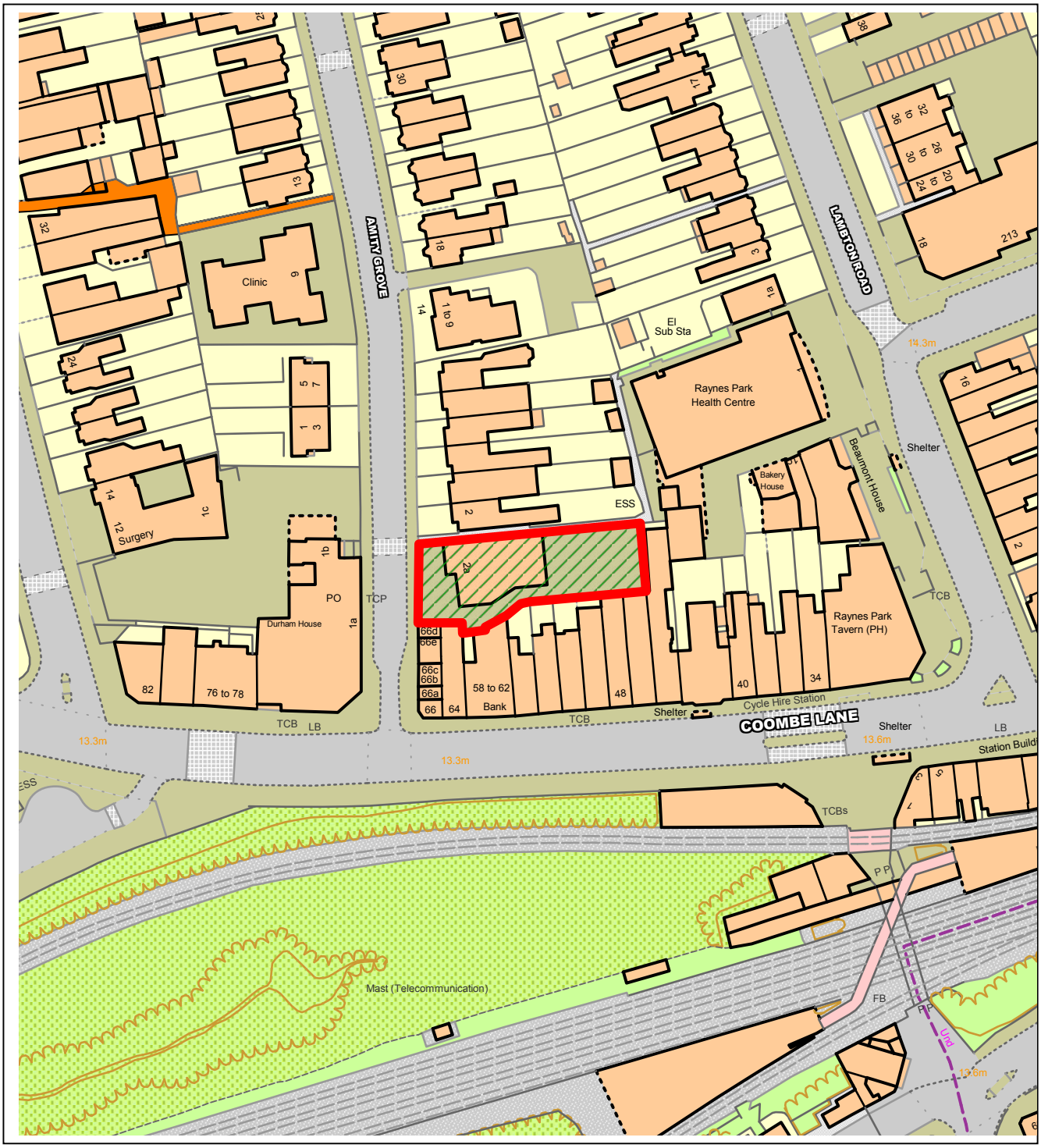

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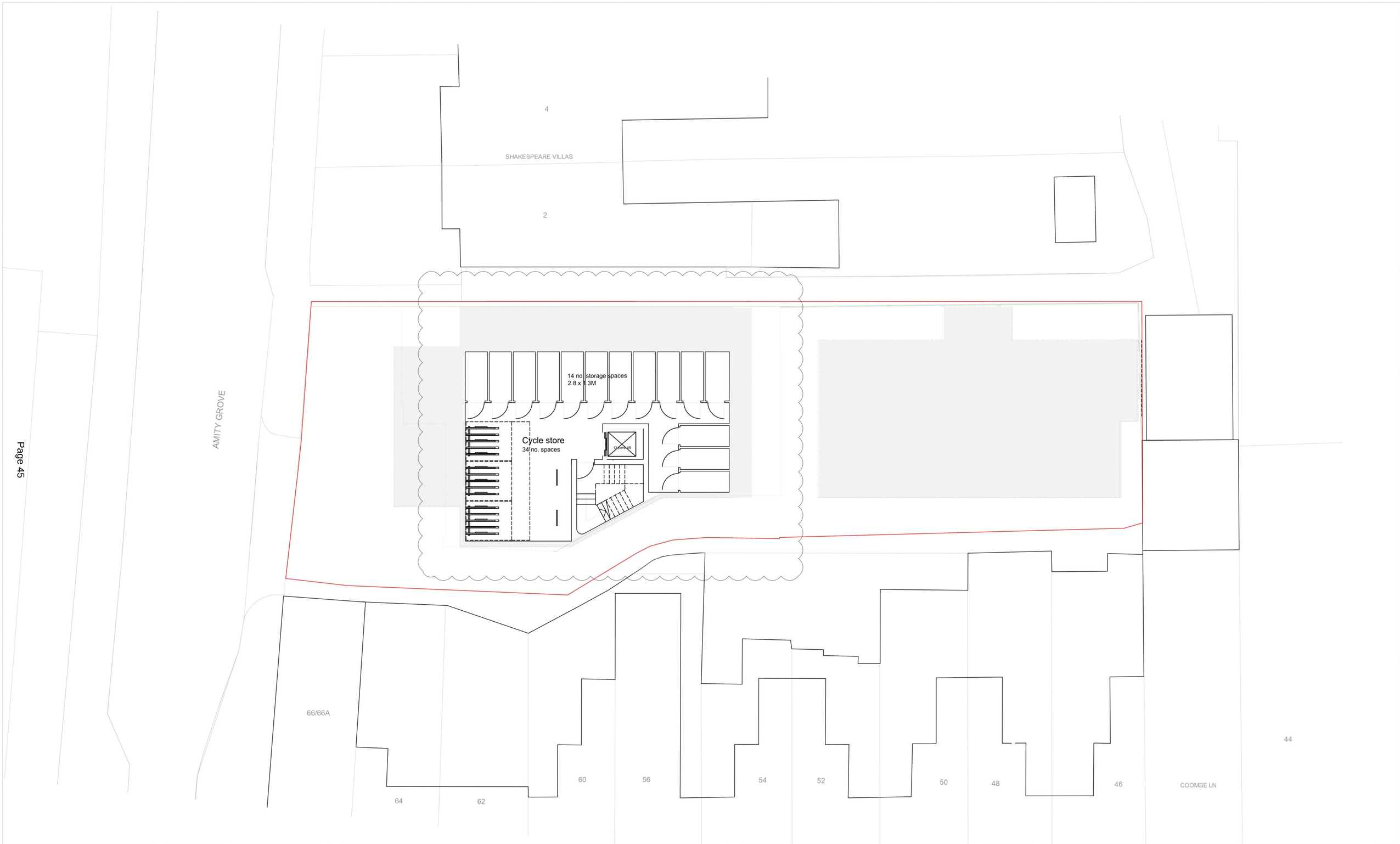

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
B	JSN		9.3.2021	Storage added. Cycle two-tier stackers added. Basement area increased in size.
A	JSN		4.3.2021	Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed Basement Floor Plan

PLANNING

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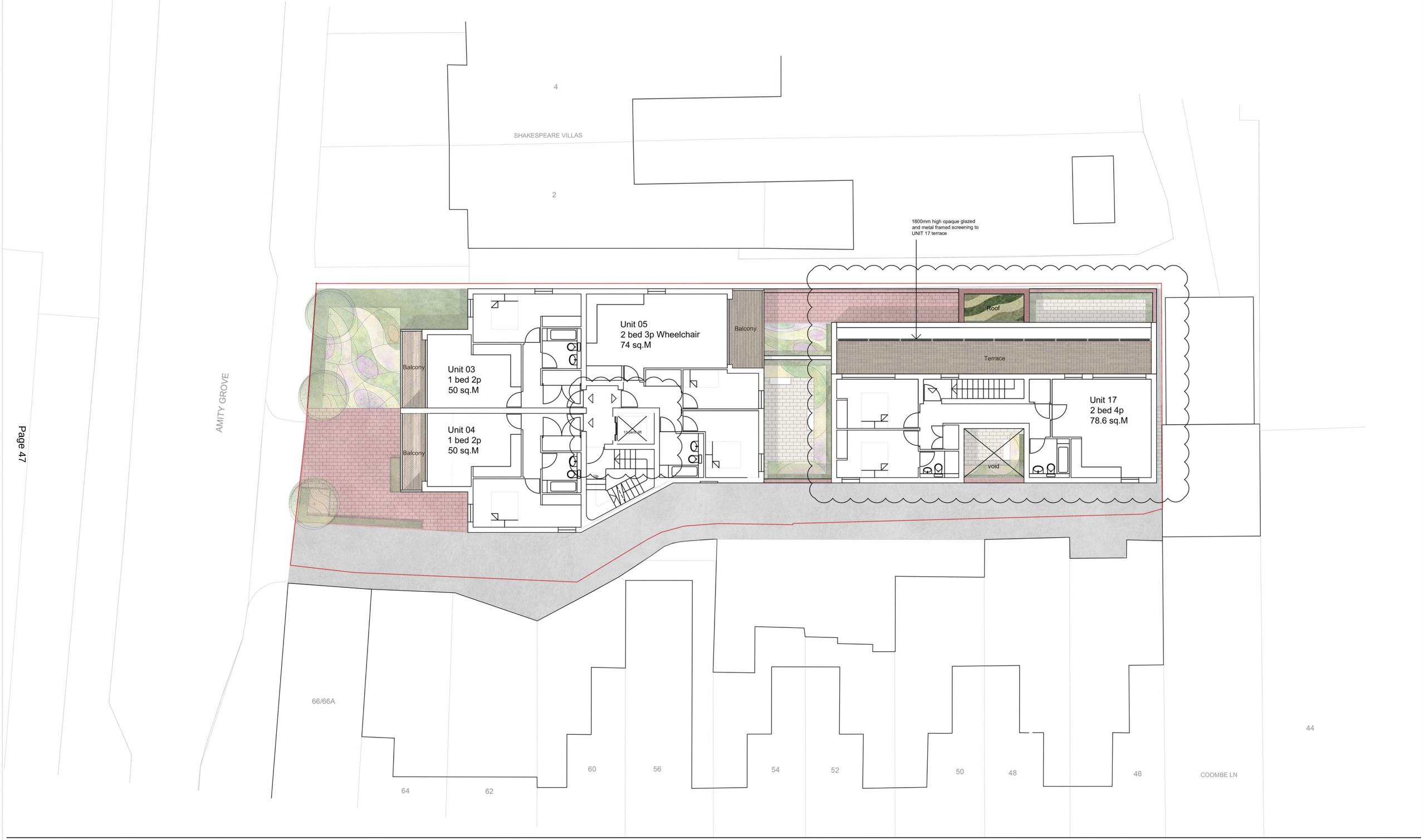

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed First Floor Plan

PLANNING

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed Second Floor Plan

PLANNING

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drawing notes

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed Third Floor Plan

PLANNING

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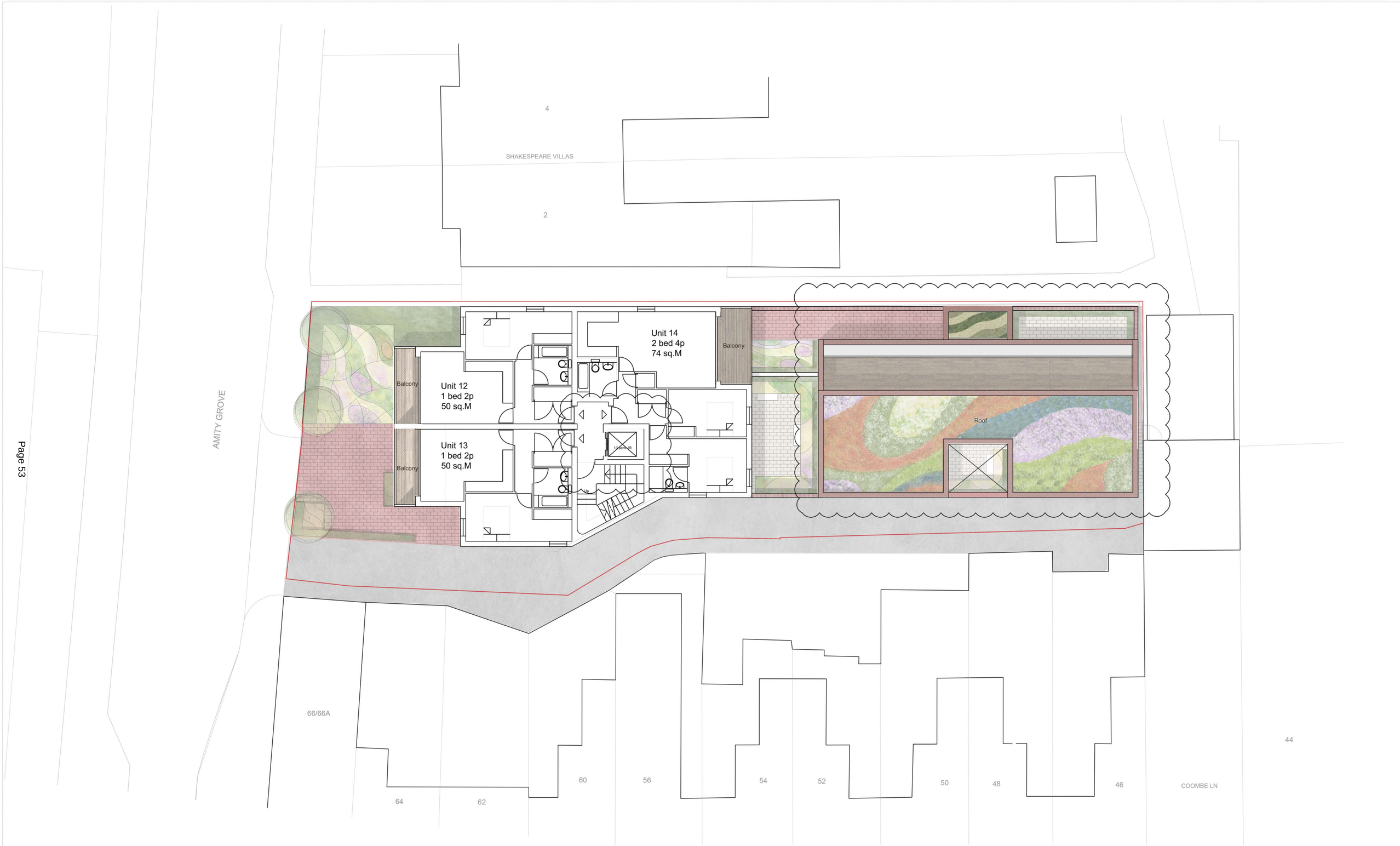

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drawing notes

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N

REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed Fourth Floor Plan

PLANNING

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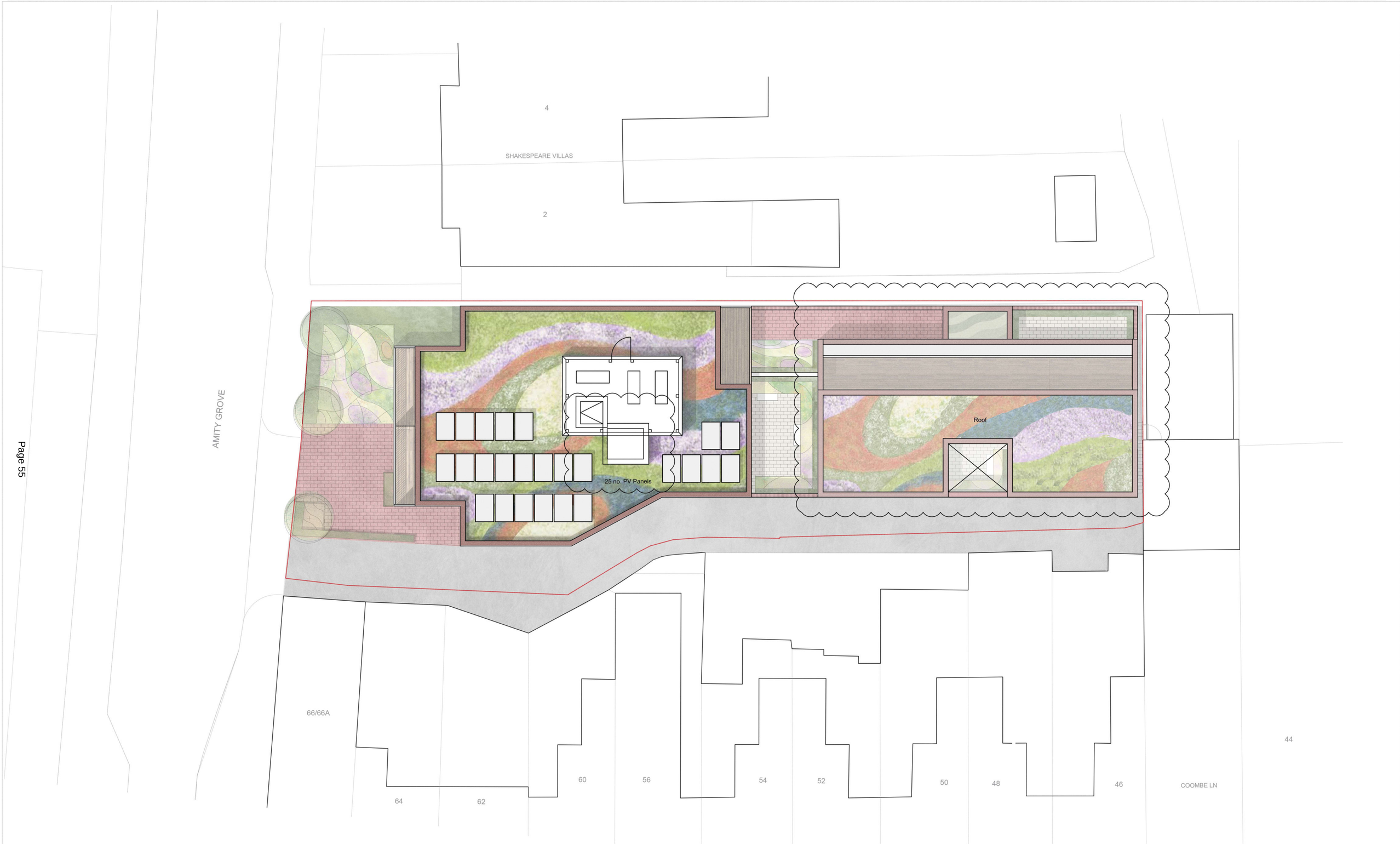

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REV	BY	CHKD	DATE	AMENDMENT DETAILS
B	JSN		4.3.2021	Unit 18 removed. rear block amended. Lift shaft enlarged
A	JSN		4.2.2021	PV's added to flat roof front block

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed Roof Plan

PLANNING

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03 South Elevation
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04 North Elevation
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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
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FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Existing South & North Elevations

PLANNING

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01 West Elevation
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02 East Elevation
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drawing notes

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Unit 18 removed. Rear block amended. Lift shaft enlarged.

project
Amity Grove

2A Amity Grove, Raynes Park, London SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Proposed East & West Elevations

PLANNING

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01 West Elevation
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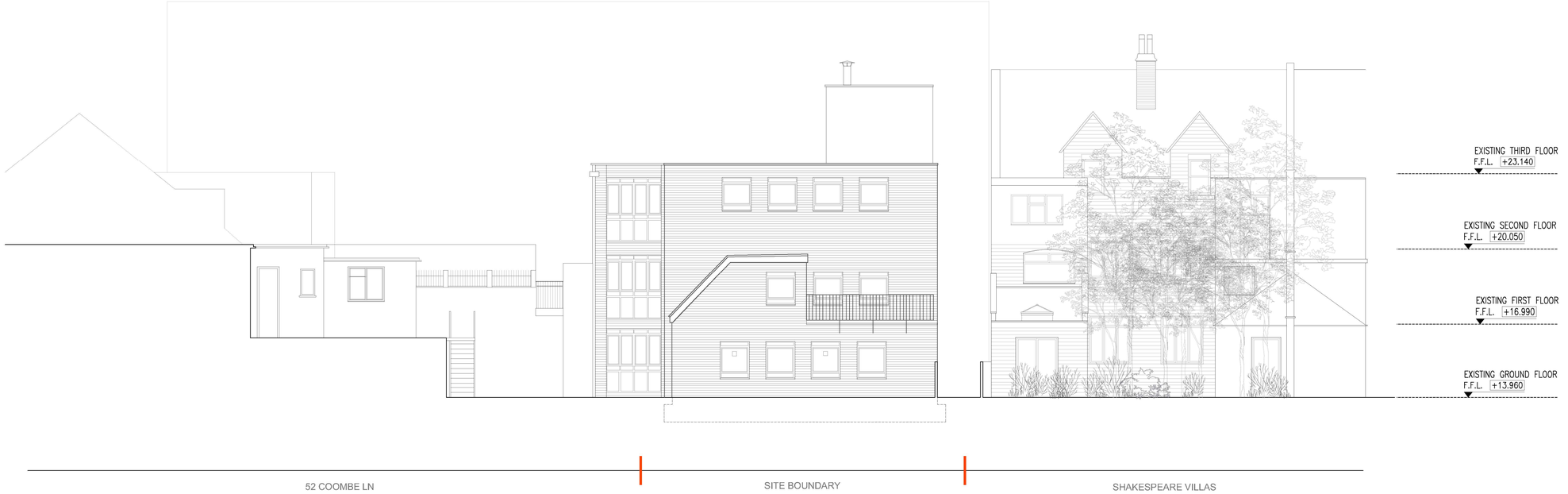

02 East Elevation
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REV	BY	CHKD	DATE	AMENDMENT DETAILS

project
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client
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FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Existing East & West Elevations

PLANNING

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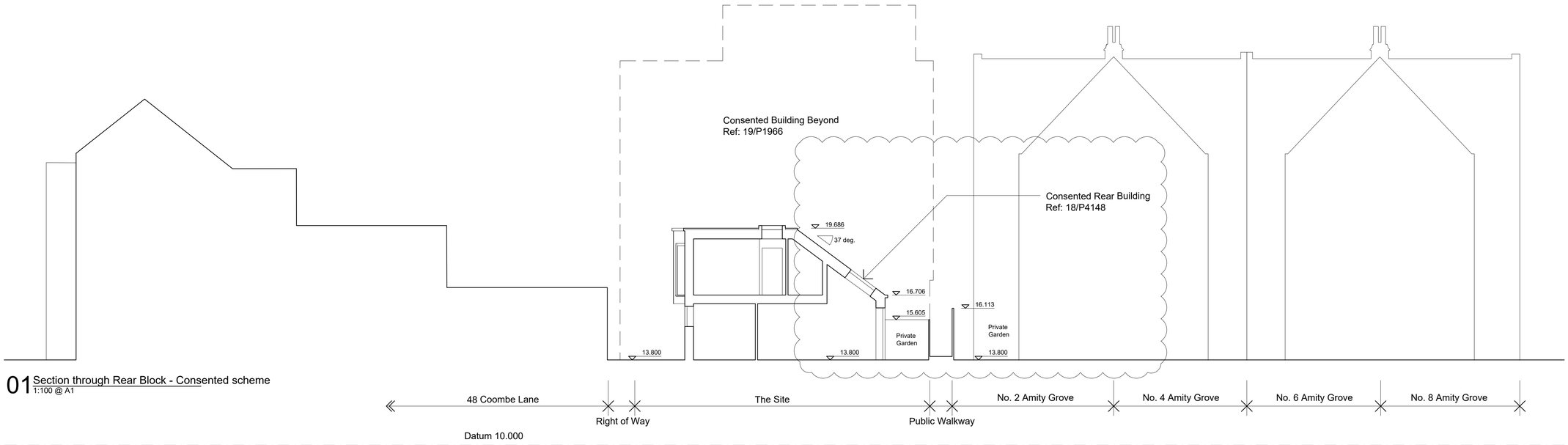

01 Section through Rear Block - Consented scheme
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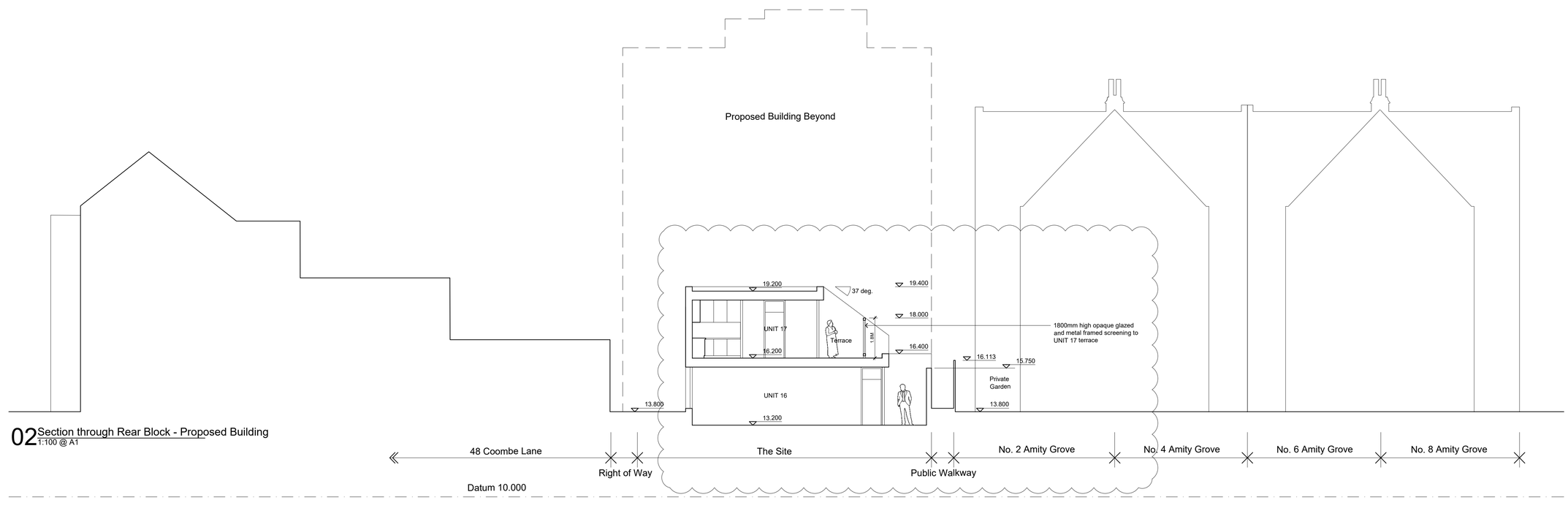

02 Section through Rear Block - Proposed Building
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drawing notes

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REV	BY	CHKD	DATE	AMENDMENT DETAILS

REV	BY	CHKD	DATE	AMENDMENT DETAILS
A	JSN		4.3.2021	Changes made to rear block. Unit 18 removed. Height reduced to 2 storey.

project
Amity Grove

2A Amity Grove, Raynes Park SW20 0LJ

client
Heritance Land Capital LTD

FraserBrownMacKennaArchitects
15-18 Featherstone St. London EC1Y 8SL www.fbmarchitects.com
T:020 7251 0543

drawing title
Comparative Section Rear Block Consented scheme - Proposed Building

PLANNING

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

Item No: 6

UPRN	**APPLICATION NO.**	**DATE VALID**
	20/P3874	17/02/2021

Address/Site Chase Court, 8A Bakers End, Wimbledon Chase, SW20 9ER

(Ward) Merton Park

Proposal: ERECTION OF A BUNGALOW WITH AMENITY SPACE AND ASSOCIATED PARKING.

Drawing Nos 2009-1D, 2009-2A, 2009-3A and 181127/DS/01/A.

Contact Officer: Tim Lipscomb

RECOMMENDATION

Grant Planning Permission subject to conditions.

CHECKLIST INFORMATION

- Heads of s.106 Agreement: Restrict parking permits
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- DRP: No
- Press notice: No
- Site notice: No
- Number of neighbours consulted: 49
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (MP2)
- Flood Zone 1
- PTAL: 2

1. **INTRODUCTION**

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received contrary to the officer recommendation.

2. **SITE AND SURROUNDINGS**

2.1 The application site comprises an area of land, occupied by two flatted buildings (accommodating 12 x 1 bed flats), on a private road (Chase Court), to the west of Bakers End, a residential cul-de-sac, characterised by short rows of terraced dwellings and semi-detached dwellings.

2.2 To the immediate east of the site is a railway line embankment and tracks beyond.

2.3 To the immediate north of the site is a warehouse building, part single storey with a gabled roof and part two-storey with a flat roof.

2.4 The site is occupied by two flatted blocks, Nos.1-6 and Nos.7-12. These buildings are identical in terms of architectural form, both being three storeys in height with angled Oriel bay windows and a gambrel roof with an area of flat roof at ridge level. Construction materials are brick and tiles.

2.5 The site is accessed via Chase Court, leading off Bakers End. The vehicular access leads to a parking area for the two blocks of flats.

2.6 Each building is set within a grassed area with an area of grasscrete to the northern part of the site.

2.7 A line of conifer trees previously stood to the northern part of the site but has recently been removed.

2.8 The surrounding area is predominantly residential and suburban in character.

2.9 The site has the following designations and restrictions:

- Controlled Parking Zone (CPZ) – MP2
- Archaeological Priority Zone
- Flood Zone 1 (low probability)

3. PROPOSAL

3.1 The proposal is for the erection of a two bedroom bungalow, with private garden space, to the northern end of Chase Court, on an area of open grassed land, adjacent to the one of the existing three storey flatted buildings on Chase Court.

3.2 The building would have an L-shaped footprint with a fully hipped roof to a height of 3.9m, with an eaves height of 2.6m. The bungalow would have a GIA of approximately 78sqm.

3.3 The bungalow would not be set up hard against the site boundary but would leave a space of approximately 2m to the northeast and northwest sides (providing a space of approximately 37sqm). In addition, a rectangular garden of 36sqm would be positioned to the side of the proposed bungalow (southwest side).

3.4 The building would be constructed from facing brickwork, with red pantiles.

3.5 Cycle parking for two bikes would be provided adjacent to the dwelling, along with an enclosed bin store.

3.6 The bungalow and garden would be enclosed by a combination of low level picket fencing and 1.8m close board fencing.

3.7 A single car parking space is proposed, outside of the red line site area, but within Chase Court.

3.8 In addition, the application proposes a new secure bike shelter to serve the existing flatted blocks on site, along with new bin store enclosures for the existing flatted units on Chase Court (units 1-6 and 7-12). The proposed development would be serviced in a similar manner to the existing flats on Chase Court, with a Council refuse vehicle entering Chase Court.

3.9 The scheme originally included electronic security gates to the entrance to Chase Court but due to concerns raised throughout the representation process, the agent has now omitted these gates from the scheme.

3.10 The application was amended on 21/05/2021 following concerns raised by officers. The amendments are summarised as follows:

- Reduction in size of garden to allow for more communal space for existing residents.
- Omission of proposed electronic security gates to Chase Court.

3.11 The application is accompanied by the following supporting documents:

- Design & Access Statement
- Drainage Strategy

4. PLANNING HISTORY

4.1 86/P1095 - OUTLINE APPLICATION FOR THE ERECTION OF TWO 2 STOREY BLOCKS OF 8 ONE-BEDROOM FLATS WITH CAR PARKING AND ACCESS ROAD OFF BAKERS END. Deemed Consent 27-11-1986.

4.2 88/P0566 - ERECTION OF 8 ONE BEDROOM FLATS IN TWO TWO STOREY BLOCKS WITH 8 CAR PARKING SPACES. Grant Permission (subject to conditions) 30-06-1988.

4.3 89/P0492 - ALTERATIONS TO AND CONVERSION OF ROOF AREA OF APPROVED BLOCKS OF FLATS NOW UNDER CONSTRUCTION TO FORM FOUR ADDITIONAL STUDIO FLATS AT SECOND FLOOR LEVEL INCLUDING PROVISION OF ADDITIONAL CAR PARKING. Grant Permission (subject to conditions) 16-05-1989.

4.4 18/P4212 - ERECTION OF A TWO STOREY RESIDENTIAL BUILDING COMPRISING 3 x SELF-CONTAINED FLATS WITH

AMENITY SPACE AND ASSOCIATED PARKING. Refused Permission 08-05-2019 for the following reasons:

1. The proposals by reason of the lack of outlook to the bedroom to Unit C, would result in a substandard quality of environment for future occupiers. The proposals would be contrary to Policy 3.5 of the London Plan 2016, and Policy DMD2 of the Sites and Policies Plan 2014.

2. The proposed development, by reason of its siting, proximity to existing buildings and site boundaries, bulk, massing and design, would appear overly dominant and unduly prominent contributing to a sense of enclosure to the detriment of the visual amenities of neighbouring occupiers and the wider area, and result in overlooking and loss of privacy, perception of overlooking, and a loss of daylight and sunlight to the detriment of the visual amenities of neighbouring occupiers. The proposals would be contrary to Policies 7.4 and 7.6 of the London Plan 2016, policy CS14 of the Core Planning Strategy 2011 and Policy DM D2 of the Sites and Policies Plan 2014.

3. The proposed development, by reason of the proposed parking layout, fails to provide suitable designated car parking for disabled people. The proposals would be contrary to Policies 3.5, 6.9 and 6.13 of the London Plan 2016, Policies CS18 and CS20 of the Core Planning Strategy 2011 and Policy DMT3 of the Sites and Policies Plan 2014.

4. The proposed development fails to demonstrate that adequate refuse/recycling facilities can be provided for the increased number of dwellings without detriment to the amenities of existing and future occupiers. The proposals would be contrary to Policy 5.17 of the London Plan 2016 and Policies CS17 and CS20 of the Core Planning Strategy 2011.

5. The proposed development, by reason of the absence of a planning undertaking to ensure that the future occupiers of the development are ineligible for parking permits for the surrounding Controlled Parking Zone, and the loss of car parking spaces for the existing residential dwellings on site, would contribute to congestion within Chase Court and the displacement of parking giving rise to increased pressure on kerbside parking on the neighbouring street, to the detriment of the amenities of existing residents and the detriment of highway and pedestrian safety. The proposals would be contrary to policy 6.13 of the London Plan 2016, Policy DMT1, DMT2 and DM T3 of the Sites and Policies Plan 2014 and Policy CS20 of the Core Planning Strategy 2011.

5. CONSULTATION

5.1 Site notice posted, neighbouring properties notified. 8 representations were received, objecting on the following grounds/raising the following comments:

- A very similar proposal (but for a two-storey flat) was previously refused and this application should be refused for the same reasons.
- Concern regarding loss of main communal green space for residents.
- Restriction of views, overshadowing.
- Loss of privacy.
- The space showing 4 cars currently only accommodates 3 cars and therefore concern is raised as to whether this will be cramped.
- There is a tree that will need to be removed, despite the assertion in the application form that there is not.
- No mention of how this proposal will affect service charge and ground rent.
- Disruption. Noise and mess.
- Overcrowding.
- Query the purpose of the building.
- Adverse impact on parking.
- Plans create the impression that there is already a building on site.
- The proposal would not perform well against Lifetime Homes Standards (parking space is too far away, the dwelling should have three bedrooms and there is no dropped kerb from the existing footways).
- Proposed development would be overlooked by the railway line.
- Overlooking to the proposed development from existing flats.
- The front facing bedroom will be at the same height as the headlights of approaching cars.
- Poor outlook for the dwelling.
- The proposed bin store is not accessible for refuse collection.
- Concerns regarding access for emergency services vehicles.
- Infrastructure is not suitable for any additional dwellings.
- Concerns over drainage implications – the area is already declared as a very high flood risk due to insufficient surface and foul sewer drainage.
- Query whether allocated parking spaces for existing residents would be lost.
- Residents have not requested new bike stores or new bin stores.
- The future occupants will may not be obliged to contribute towards maintenance of Chase Court but would benefit from its use.
- Query whether site notice is a legal requirement as one does not appear to have been posted.
- Trees were previously cleared from the site.

- The bike shelter for existing residents is a positive of the development.
- Object to bike shed as it could be a magnet for thieves as indicated by the Designing out Crime Officer.
- Objection to further footfall along the road and impact on road surface.
- Concerns raised on ecological grounds.
- Concerns regarding increase in vermin due to increased building work in the area.
- Objections to provision of electronic security gates.

5.2 LBM Transport Planning:

The proposed site is located at the end of Chase Court which is a private road off the adopted Bakers End. (approx: 107metres from Bakers End)

Parking is managed by a private management company and Council have no remit for parking for the proposed development.

There is adequate turning area within Chase Court for cars to approach Bakers End in forward Manner.

Car Parking: The proposal identifies one car parking space which satisfies the London Plan Standards.

Cycle Parking: The proposal provides 2 cycle parking spaces which satisfies the London plan standards.

Recommendation: The proposal is within a private road maintained by a private company. Parking management and other services is the responsibility of the management company and the Council highways bears no responsibility

5.3 LBM Drainage Officer:

No objection. Recommend a condition to ensure that the measures detailed in the submitted Drainage Strategy, including on-site storage of 1.6 cubic metres, are implemented.

5.4 Metropolitan Police Designing Out Crime Officer:

Summary of comments:

- The proposed amendment to the site plan appears to create an area lacking natural surveillance which would provide potential hiding places for those with criminal intent. The creation of this area should be avoided.
- Concern that people may be able to access the rear of the bungalow.
- The garden needs to be clearly distinguished from the communal area.
- Cycle parking should be located in front of the residential blocks to maximise natural surveillance.

5.5 Historic England:

- Conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.
- Although the site is located within an archaeological priority area, it is on the periphery, and its small size means there is likely to be minimal archaeological impact.
- No further assessment or conditions are therefore necessary.

5.6 Thames Water:

Awaiting response…

6. **POLICY CONTEXT**

6.1 National Planning Policy Framework (2019):

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment
16. Conserving and enhancing the historic environment

6.2 London Plan (2021):

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D11 Safety, security and resilience to emergency
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 10 Aggregates
SI 13 Sustainable drainage
T1 Strategic approach to transport
T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts

T5 Cycling
T6 Car parking
T6.1 Residential parking
T6.3 Retail parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

6.3 Merton adopted Core Strategy (July 2011):
CS 8 Housing choice
CS 9 Housing provision
CS 11 Infrastructure
CS 13 Open space, leisure and nature conservation
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Active Transport
CS 20 Parking servicing and delivery

6.4 Merton adopted Sites and Policies document (July 2014):
DM O2 Nature conservation, Trees, hedges and landscape features
DM D2 Design considerations
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM F2 Sustainable urban drainage systems (SUDs) and: Wastewater and Water Infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

6.5 Other guidance:
National Design Guide – October 2019
Draft Merton Local Plan
DCLG: Technical housing standards - nationally described space standard March 2015
Merton's Design SPG 2004
GLA Guidance on preparing energy assessments – 2018
Mayor's Air Quality Strategy - 2010
Mayor's SPG - Housing 2016
Mayor's SPG – Sustainable Design and Construction 2014
Mayor's SPG – Character and Context 2014
LB Merton – Air quality action plan - 2018-2023.
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018

7. PLANNING CONSIDERATIONS

Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Planning history
- Need for additional housing
- Design and impact upon the character and appearance of the area

- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, parking and cycle storage
- Safety and Security considerations
- Refuse storage and collection
- Sustainable design and construction
- Biodiversity
- Drainage and runoff
- Archaeological considerations

7.1 Principle of development

7.1.1 Policy H1 of the London Plan 2021 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and the London Plan promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.1.2 The proposed development would result in a net increase of 1 residential unit in the borough. Intensification of land is generally encouraged in the Local and London Plan, therefore the provision of an additional residential unit would be in line with policy. The proposal will make a useful contribution to meeting Merton's strategic housing target (918 homes annually) and Merton's 5-year housing land supply requirement.

7.1.3 The proposed development would be on land in a built up area which has not been previously developed. The London Plan sets out that undeveloped land in built-up areas, such as the grassed communal area on the application site, is not categorised as previously developed land. The NPPF also states, at paragraph 70 that Local Planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

7.1.4 Policy CS13 of the Core Planning Strategy states that any proposals for new dwellings in back gardens must be justified against the:

- local context and character of the site
- biodiversity value of the site
- value in terms of green corridors and green islands
- flood risk and climate change impacts

7.1.5 The Core Planning Strategy goes on to states that back gardens provide a significant resource for biodiversity and amenity space and contribute to mitigating against the impacts of climate change and flood risk.

7.1.6 Therefore, whilst there is not a presumption in favour of development, the proposal would be acceptable in principle subject to compliance with Development Plan policies.

7.2 Planning history

7.2.1 Officers note that permission was refused under application ref. 18/P4212 for the development of a two-storey block of flats on the site. The previous decision is a material planning consideration in the current assessment. However, officers note that the proposal has been altered significantly since the previous refusal. The key differences between the two proposals are set out below:

	18/P4212	**20/P3874**
Proposal	3 flats (2b/4p and 2x1b/2p units)	1 bungalow (2b/4p)
Height – **Ridge** **Eaves**	 6.7m 5.7m	 3.9m 2.6m
Parking	4 spaces utilising existing residents' spaces	1 new parking space
Cycle parking	To the northeast corner of the site.	Adjacent to proposed bungalow
Bin storage	Bins for the proposed and existing dwellings on site to be stored externally with no form of enclosure	Bin storage enclosure adjacent to bungalow and replacement bin storage facilities for existing residents proposed.

7.2.2 In order for the current proposal to be acceptable in planning terms, it will be necessary to overcome the previous reasons for refusal and to be acceptable in its own right.

7.3 Need for additional housing

7.3.1 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy H1 of the new London Plan 2021 sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London borough of Merton is 9,180. The London Plan 2021, paragraph 4.1.10 states "The increase in housing delivery required by these targets may be achieved gradually and boroughs are encouraged to set out a realistic and, where appropriate, stepped housing delivery target over a ten-year period. This should be supported by a clear articulation of how these homes will be delivered and any actions the boroughs will take in the event of under delivery".

7.3.3 In accordance with para 4.1.10 of the new London Plan Merton will submit a stepped target for the ten year period to the Secretary of State in Merton's new Local Plan later in 2021. This stepped approach is set out in Merton's AMR (link to website: https://www.merton.gov.uk/planning-and-buildings/planning/local-plan#titleCol20) and demonstrates that Merton can meet its 10 year housing target by taking the stepped approach.

7.3.4 As at June 2021, Merton's Local Plan production is between Reg 18 and Reg 19 and the stepped trajectory approach has not been considered at examination, which is required to confirm a five year land supply in

accordance with the NPPF and NPPG. https://www.gov.uk/guidance/housing-supply-and-delivery#confirm-5-year

7.3.5 Therefore:

- Merton's housing target is 918 homes per annum until 2028/29;
- the five year cumulative target is 4,590 homes (918 homes x 5 years);
- the London Borough of Merton can demonstrate a supply of 4,981 homes to be built within the next five years;
- Overall, Merton has 109% of the five-year supply.

7.3.6 The proposal would make a valuable contribution towards housing stock.

7.3 Design and impact upon the character and appearance of the area

7.4.1 The NPPF, London Plan policies D3 and D4, Core Strategy policy CS 14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context. Thus, development proposals must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

7.4.2 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.

7.4.3 *Massing and heights*

7.4.4 The proposed building would be modest in height and would not be visually intrusive in its context.

7.4.5 The building would be suitably separated from neighbouring buildings so as not to substantially disturb the pattern and grain of surrounding established development and would not adversely affect the suburban character of the area.

7.4.6 Whilst the proposal would result in a building sited on currently open land, the reduction in the bulk, massing and height of the proposed building since the refused scheme is such that the current proposal is not considered to result in a cramped appearance on site.

7.4.7 *Layout*

7.4.8 The proposed bungalow would be located to the northeast corner of Chase Court with sufficient space to the boundaries and neighbouring buildings, to avoid a visually harmful impact.

7.4.9 The building itself would have a regular residential layout and the layout of the proposed development is not considered to be objectionable.

7.4.10 Officers note that concerns have been raised in relation to the 'take up' of existing communal amenity space for the existing flatted blocks on site – this matter is discussed below under the 'Standard of Accommodation' heading.

7.4.11 *Design and appearance*

7.4.12 The proposed bungalow would have a modest impact in terms of the character of the area.

7.4.13 The design of the proposed bungalow could be described as traditional and the form and appearance of the bungalow would be neutral in terms of its impact on the character of the area.

7.4.14 The materials proposed are considered to adequately reflect the surrounding area.

7.4.15 The proposed fencing would be suitable for the residential setting.

7.4.16 The site offers an opportunity to provide a high quality, innovative design and whilst the proposed bungalow is not particularly inspiring in terms of its architecture, officers conclude that the form and design of the proposed building would not result in material harm to the character and appearance of the area.

7.4.17 The reduction in bulk and massing since the previous refusal is such that the current proposal is considered to have overcome the previous reason for refusal in this regard.

7.5 Impact upon neighbouring amenity

7.5.1 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.5.2 The building is single storey only, with a modest hipped roof. Therefore, no objection based on loss of light or overshadowing could reasonably be substantiated. In addition, officers note that the proposed building would be to the north of the existing flatted blocks on site and as such any opportunity for overshadowing is significantly limited.

7.5.3 The proposed building would be positioned at an oblique angle to the existing flatted block (Nos.7-12) and would be separated from the existing flatted block by a minimum of 5.4m. Whilst the new unit would be visible from the existing flatted block, and other neighbouring properties, the proposed siting, to the northeast corner of the site, sufficiently separated from neighbouring buildings, is such that the proposed building would not result in material harm to neighbouring amenity by way of visual intrusion, loss of outlook or overbearing form.

7.5.4 Due to the juxtaposition with Nos.7-12, at an oblique angle, there would not be direct overlooking to existing neighbouring windows. In addition, the proposed boundary screening would limit overlooking at ground floor level.

7.5.5 It is noted that there would be some marginal overlooking of the proposed bungalow from the side facing windows of the existing flatted block (nos.7-

12) but this relationship is not particularly unusual in a suburban area and would not warrant a refusal of planning permission.

7.5.6 The proposal is not considered to have an adverse impact on the operation or amenities of the warehouse building to the north, due to the lack of south facing windows to this building.

7.5.7 The separation distances to properties along Bakers End is considered to be sufficient to avoid a materially harmful impact on neighbouring amenity.

7.5.8 In conclusion and following assessment of the development including the site context, the building heights, the nature of the existing residential accommodation and the separation distances between buildings, it is considered that the proposed development will not give rise to materially harmful visual intrusion, loss of daylight or sunlight, or loss of privacy to adjacent residential occupiers. The development is considered in accordance with Sites and Policies Plan policy DM D2.

7.6 Standard of accommodation

7.6.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).

7.6.2 The proposed unit would exceed the minimum GIA and private external amenity space requirements of the London Plan. The Merton Sites and Policies Plan requires a garden space of 50sqm – the current proposal has a garden of 36sqm but an additional space of 37sqm around the building, which is approximately 2m wide, and officers conclude that this is a reasonable provision of external amenity space for the proposed dwelling.

7.6.3 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants. The proposed dwelling would have a reasonably good outlook with adequate levels of natural light.

7.6.4 The separation distance from the adjacent railway is considered to be sufficient to avoid the need for additional sound proofing measures to the windows to the southwest elevation.

7.6.5 Officers note the concerns raised by neighbours that the proposal would take up existing communal amenity space. This is primarily a matter between the leaseholders and the freeholders as opposed to a planning matter, as the London Plan would require an area of just 13.5sqm for external amenity space for 12 x 1 bed units and the retained amenity space would be well in excess of this figure (288sqm retained around Nos.7-12, along with the existing 142sqm around Nos.1-6). Therefore, whilst this matter is noted, it cannot reasonably form a reason for refusal of this planning application. However, notwithstanding this, officers have sought to allay the concerns of neighbours and have sought amendments to allow part of the communal amenity space which would have been lost, to be retained by existing residents (by reducing the size of the garden for the proposed bungalow).

7.6.6 The standard of accommodation is considered to be acceptable and the previous reason for refusal, in this regard, is overcome.

7.7 Transport, parking and cycle storage

7.7.1 Policy T6 of the London Plan states that car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.7.2 The increase in traffic generated by the proposal would not be so significant as to have a significant effect on the local highway network.

7.7.3 The level of cycle parking provided by the proposed development would accord with London Plan standards and the provision of additional enclosed cycle parking for existing residents is a planning benefit above and beyond the policy requirement.

7.7.4 The proposal is for a single dwelling and therefore no on-site car parking is required under planning policies. In addition, the application would be subject to a s.106 legal agreement to restrict parking permits for future occupiers, which would sufficiently limit the impact on the surrounding highway network. In addition, as the proposal is for a single dwelling, there is no requirement for on-site Blue Badge holder parking. Therefore, whilst the proposed additional single car parking space is not in close proximity to the proposed bungalow, it is not required in planning terms in any event and therefore no objection could reasonably be raised regarding the distance to the proposed parking space.

7.8 Safety and Security considerations

7.8.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.8.2 The proposed bungalow would be adequately fenced and this matter can be addressed by way of condition.

7.8.3 The proposed development would result in an area of communal garden which would be partially obscured from view by the proposed fencing, as noted by the Designing Out Crime officer. However, it is not considered to be a viable concern that could warrant a refusal of planning permission.

7.8.4 The proposal is considered to provide a layout that would be safe and secure and no objection is raised on this basis.

7.9 Refuse storage and collection

7.9.1 Policy SI 7 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.9.2 The proposed development provides an enclosed, accessible bin store for the proposed development and the proposal is considered to be acceptable in terms of servicing arrangements.

7.9.3 In addition, the scheme proposes replacement bin storage for existing residents. Whilst it is noted that residents have not specifically requested this,

it is a planning gain, over and above policy requirements, as the existing bin storage enclosures are not tall enough to accommodate the Council's refuse and recycling wheelie bins, which has resulted in a proliferation of unenclosed bins.

7.9.4 The refuse and recycling collection arrangements are not considered to be objectionable.

7.10 Sustainable design and construction

7.10.1 London Plan policies SI 2 to SI 5 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.10.2 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. Officers are satisfied that the proposal could meet such standards and therefore a pre-occupation condition will be included to ensure these standards are achieved.

7.11 Biodiversity

7.11.1 Policy DMO2 seeks, amongst other things, to protect land of ecological value. The NPPF has a presumption in favour of sustainable development, seeking positive improvements in the quality of the built, natural and historic environment including moving from a net loss of biodiversity to achieving nets gains for nature.

7.11.2 There is no indication that the existing site has a significant bio-diversity value and as such it is not necessary to submit an ecology report. The proposal is considered to be acceptable in terms of the impact on bio-diversity.

7.12 Drainage and Runoff

7.12.1 Policies DM F1 and DM F2 of Merton's Sites and Policies Plan and policy CS.16 of the Core Strategy seeks to ensure that development will not have an adverse impact on flooding and that there would be no adverse impacts on essential community infrastructure. The site is located within Flood Zone 1 and is not located within a critical drainage area.

7.12.2 The existing site is laid to grass and permeable. The proposal would increase the area of hardstanding on the site.

7.12.3 The application is accompanied by details of a Sustainable Urban Drainage System, which has been reviewed by the Council's Drainage Officer who concludes that the proposal would be acceptable subject to a condition to ensure the measures proposed in the drainage strategy, such as on-site attenuation storage, are implemented.

7.12.4 Officers note the concerns raised by neighbouring occupiers in relation to existing drainage issues. However, this is a matter that would be primarily addressed at the Building Control stage rather than through this planning application.

7.13 Archaeological Considerations

7.13.1 The site is within an Archaeological Priority Zone. However Historic England GLAAS has confirmed that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and that no further assessment or conditions are therefore necessary. Therefore, no objection is raised in relation to this matter.

7.14 Community Infrastructure Levy

7.14.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

7.15 Response to issues raised by objectors:

7.15.1 The issues raised by objectives are mainly addressed in the body of this report. However, in addition, the following response is provided:

- Whilst there would be some limited and transient disturbance throughout the construction process, this could not reasonably form a reasonable reason for refusal. However, safeguarding conditions to minimise the impact of the construction works are recommended.
- Issues of sewerage would be addressed under Building Regulations legislation and not through the assessment of the planning permission. Thames Water has been consulted on the proposal nonetheless but no response has been received.
- The use of the site would remain as residential and any minor increase in noise or light is not considered to result in material harm to amenity.
- Issues of the service charge are not a material planning consideration.
- The maintenance of the access road would be a private matter between the leaseholders and the freeholder.
- The statutory requirement for neighbour notification is either a site notice or letters to adjoining occupiers. Merton has consulted all nearby neighbours by post and therefore the failure to display a site notice would not invalidate the application.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. Conclusion

9.1 Officers consider the proposal is acceptable in principle, providing a residential development at an increased density, in line with planning policy. The proposal is considered to be reasonably well designed, appropriately responding to the surrounding context in terms of massing, heights, layout and materials and would not have a harmful impact on the visual amenities of the area. The proposal would not unduly impact upon neighbouring amenity. The proposal would not unduly impact upon the highway network, including parking provisions (subject to Section 106 Obligations). The proposal would achieve suitable refuse and cycle storage provisions.

9.2 Officers consider that the proposal has overcome the previous reasons for refusal.

9.3 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and officers consider that an approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

9.4 It is therefore recommended to grant permission subject to conditions and a Section 106 Agreement.

10. **RECOMMENDATION:** Grant Permission Subject to Section 106 Obligation, covering the following heads of term:

1. The proposed dwelling is to be a permit free residential unit
2. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.
3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of development (full application)

2. A7 Approved Plans: 2009-1D, 2009-2A, 2009-3A and 181127/DS/01/A.

3. B3 External Materials as Specified

4. Refuse & Recycling (Details to be submitted)

5. D11 Construction Times

6. H07 Cycle Parking (Details to be submitted)

7. L3 Sustainability Standard Pre-Occupation

8. Non Standard Condition: The drainage strategy shall be implemented in accordance with the approved submitted details contained within the Drainage Strategy (ref no. 181127/DS/JR/RS/01 by Lanmor Consulting) which incorporates a management strategy and onsite storage of 1.6m³. The drainage scheme will dispose of surface water at the agreed rate of 2l/s in accordance with drainage hierarchy contained within the London Plan and the advice contained within the National SuDS Standards.
Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

9. Boundary Fencing (Implementation)

Informatives:

1. Carbon emissions evidence requirements for post construction stage assessments must provide: ‘As Built’ SAP Compliance Reports and detailed DER and TER worksheets for the as built development. The output documents must be based on the ‘as built’ stage of analysis and must account for any changes to the specification during construction. The outputs must be dated and include the accredited energy assessor’s name and registration number, the assessment status, plot number and development address. OR, where applicable: A copy of revised/final calculations as detailed in the assessment methodology based on ‘As Built’ SAP outputs; AND Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation. AND, where the developer has used SAP 10 conversion factors: The completed Carbon Emissions Reporting Spreadsheet based on the ‘As Built’ SAP outputs. AND, where applicable: MCS certificates and photos of all installed renewable technologies.

2. Water efficiency evidence requirements for Post Construction Stage assessments must provide:
    - Documentary evidence representing the dwellings ‘As Built’; detailing:
    - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
    - the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
    - Water Efficiency Calculator for New Dwellings; OR
    - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings ‘As Built’

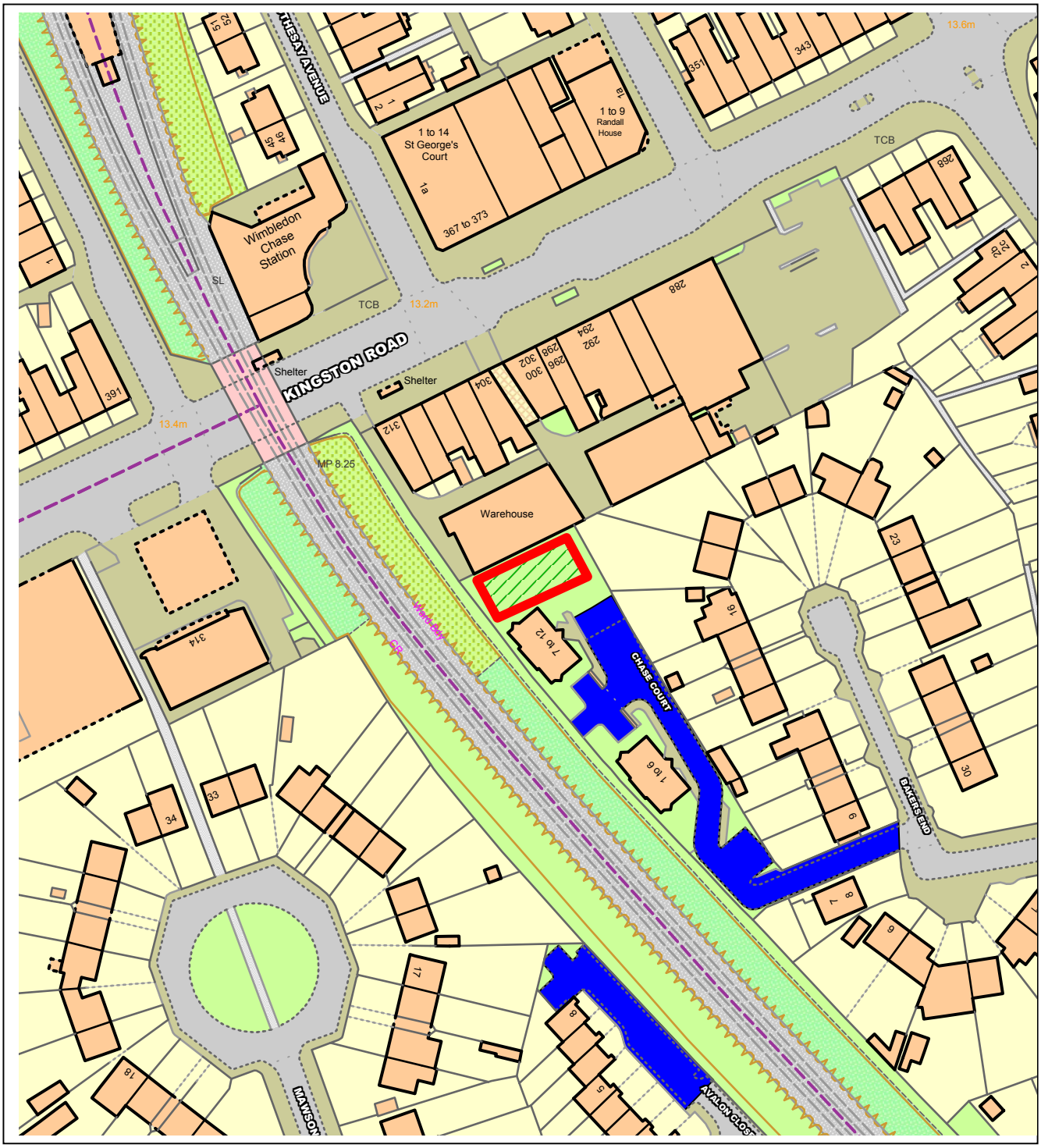
3. INF 15 Discharge conditions prior to commencement of work

4. INF 20 Street naming and numbering

5. INFORMATIVE: No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

6. NPPF Note to Applicant – approved schemes

NORTHGATE SE GIS Print Template



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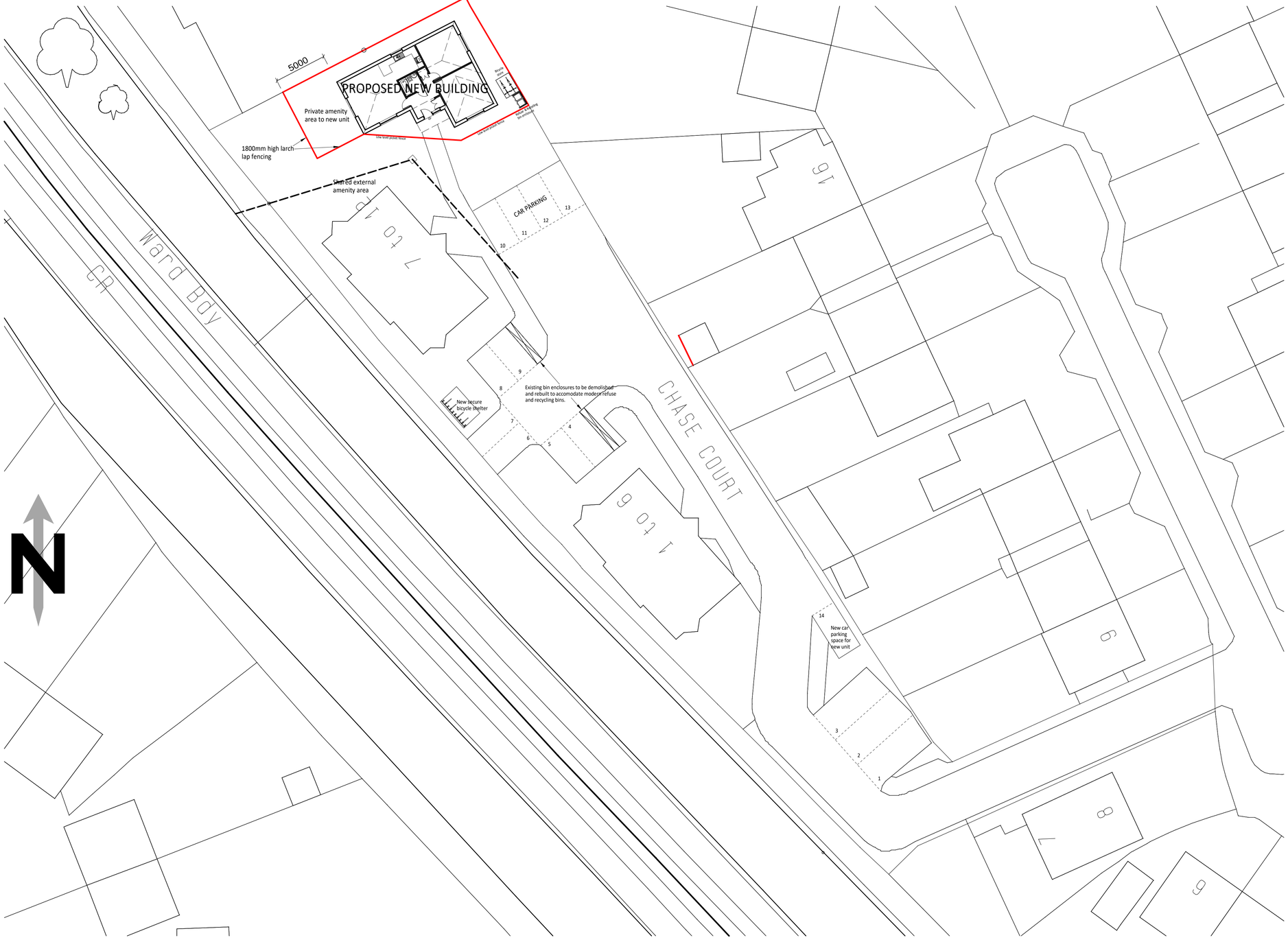

Rev D. Amenity area amended. May 2021.
Rev C. Fencing noted. April 2021.
Rev B. Site boundary amended. December 2020.
Rev A. General amendments. March 2020.

Proposed Bungalow Site Plan

Chase Court, Bakers End,

Merton Park, London, SW20 9ER.

Scales: 1:200 @ A1

Date: February 2020

Drawing No.: 2009-1D

M.J.Read Building Design

89 Orchard Way, Shirley,

Surrey, CR0 7NQ.

Tel/Fax: 0208 405 6186

Email: mike_read@blueyonder.co.uk

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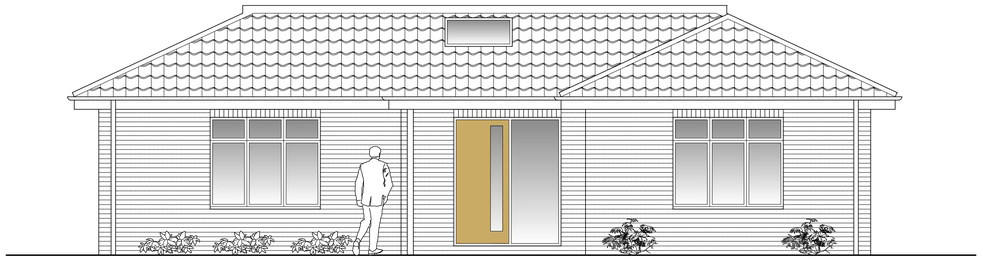
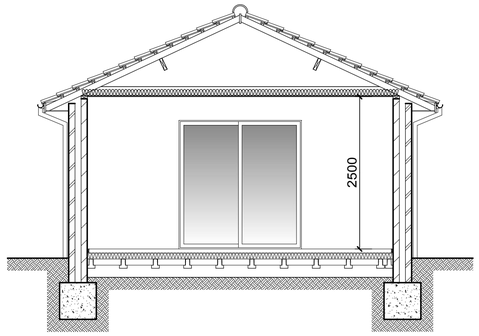
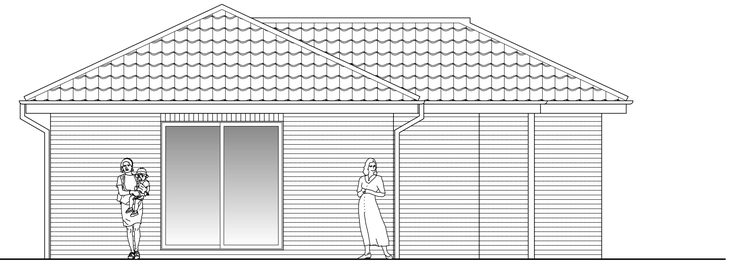


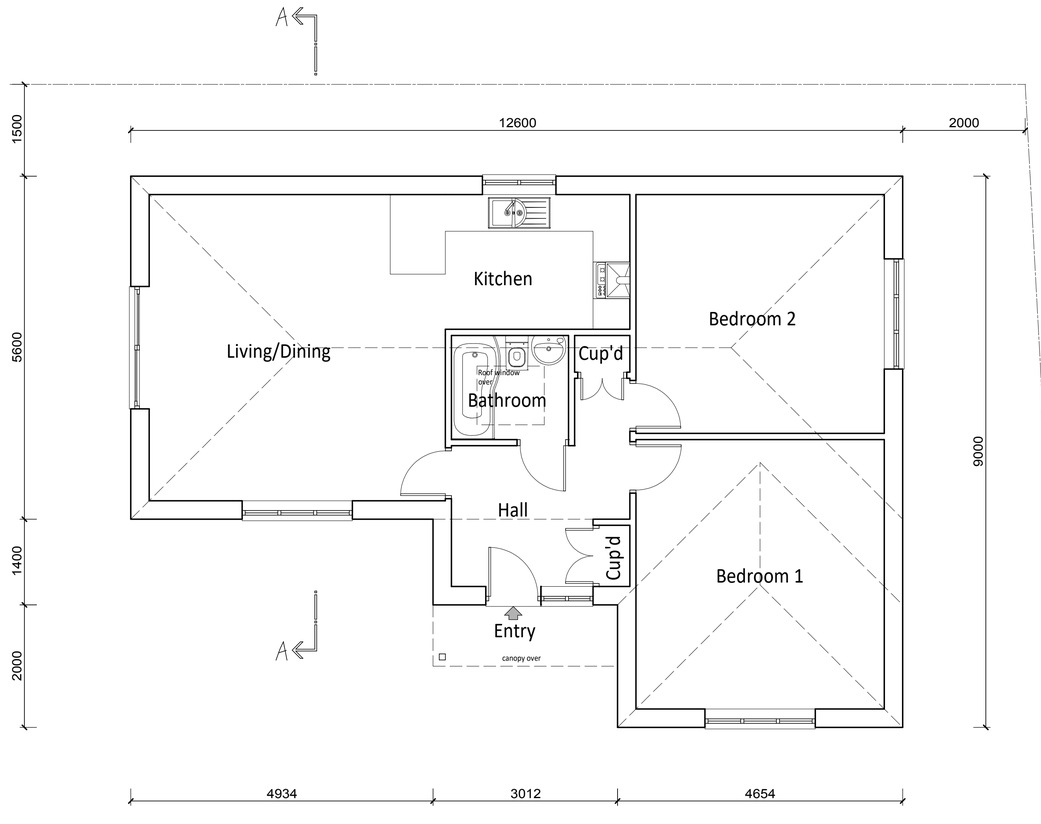
FRONT ELEVATION SOUTH 1:50



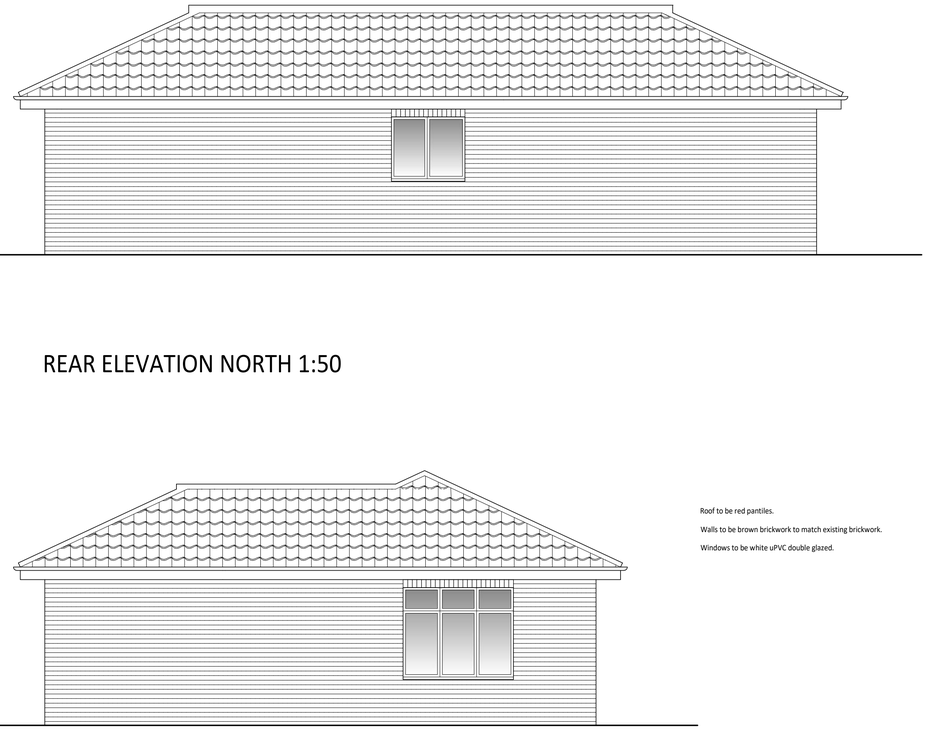
SECTION A-A



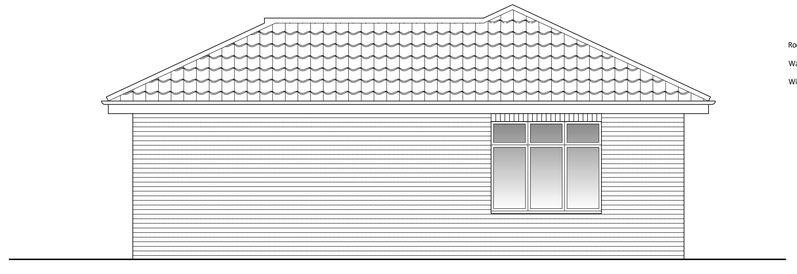
SIDE ELEVATION WEST 1:50



GROUND FLOOR PLAN 1:50



REAR ELEVATION NORTH 1:50

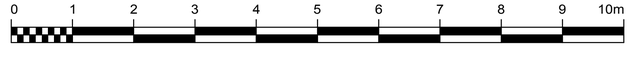


SIDE ELEVATION EAST 1:50

Roof to be red pantiles.

Walls to be brown brickwork to match existing brickwork.

Windows to be white uPVC double glazed.



Rev A. Roof window and notes added. 25.11.2020.

Proposed Bungalow Plans, Section & Elevations

Chase Court, Bakers End,

Merton Park, London, SW20 9ER.

Scales: 1:50 @ A1

Date: February 2020

Drawing No.: 2009-2A

M.J.Read Building Design

89 Orchard Way, Shirley,

Surrey, CR0 7NQ.

Tel/Fax: 0208 405 6186

Email: mike_read@blueyonder.co.uk

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PLANNING APPLICATIONS COMMITTEE **29th June 2021**
Item: 7

	APPLICATION NO.	**DATE VALID**
	21/P1108	24/03/2021

Address/Site: 11 Blossom Square
8a The Drive, West Wimbledon
London, SW20 8TG

Ward: Raynes Park

Proposal: PROPOSED USE OF RAISED FLAT ROOF AT REAR OF BUILDING AS A TERRACE, INCLUDING THE INSTALLATION OF OPAQUE GLASS PRIVACY SCREENS

Drawing No.'s: 16021-PL8001-A; 16021-PL8102-A

Contact Officer: Jourdan Alexander (020 8545 3112)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (01/04/21)
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 15
- External consultations: 0
- Conservation area: Yes (Wimbledon West)
- Listed building: No
- Tree protection orders: No

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received. Officers consider that its determination in the event of approval therefore falls outside the Scheme of Delegation to officers

2. SITE AND SURROUNDINGS

2.1 The application site forms part of the recently completed development involving the demolition of Blossom House School at 8a the Drive and the construction of 13 houses with private and communal amenity space, car parking, cycle parking and associated landscaping.

2.2 The application property is a single family dwelling and located to the north eastern corner of the site. It is a three storey brick and render house underneath a pitched tiled roof. The building forms a pair with No 10 Blossom Square.

2.3 The surrounding area outside of the redevelopment is residential in character, and lies within the Wimbledon West Conservation Area.

3. CURRENT PROPOSAL

3.1 The application seeks planning permission to use the flat roof of the building's rear projection as a terrace. To achieve this the Juliet balcony railings on the rear opening would be removed, in addition 1.7m high opaque glass privacy screen would be installed on the proposed terrace.

4. RELEVANT PLANNING HISTORY

4.1 15/P1750 - Demolition of Blossom House School (Use Class D1 2252 square metres) and all associated buildings and structures and redevelopment of the site with the construction of 13 houses (8 four bedroom and 5 five bedroom) with private and communal amenity space, 28 car parking spaces, 52 cycle parking spaces and associated landscaping. Grant Permission.

4.2 17/P3042 - APPLICATION FOR VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO LBM PLANNING PERMISSION 15/P1750, RELATING TO:- The demolition of Blossom House School (Use Class D1 2252 square metres) and all associated buildings and structures and redevelopment of the site with the construction of 13 houses (8 four bedroom and 5 five bedroom) with private and communal amenity space, 28 car parking spaces, 52 cycle parking spaces and associated landscaping. Grant Permission.

- The approved development was subject to the following condition:

  Access to the flat roof of the development hereby permitted shall be for maintenance of emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

  For clarity this includes the flat roof of, 2,3,6,7,9 and 10 but does not include areas specially shown as roof terraces on the approved plans.

  Similar approved developments:

4.3 6 Blossom Square 8a, The Drive
20/P3006 - USE OF FLAT ROOF AS A TERRACE AND PROVISION OF IRON RAILINGS AROUND PARAPET WALL. Grant Permission subject to Conditions

4.4 7 Blossom Square 8a The Drive
20/P3215 - INSTALLATION OF RAILINGS AROUND THE REAR LOWER GROUND FLOOR ROOF AND USE AS A TERRACE. Grant Permission subject to Conditions

5. CONSULTATION

5.1 Public consultation was undertaken by way of press notice, site notice along with letters sent to 15 neighbouring properties. 4 representations were received, as summarised:
- Allowing occupants to use the flat roof as a balcony will be very intrusive and detrimental to neighbouring privacy.
- Due to the height and proximity of the house to our building, the possibility of the owners being allowed to sit on first floor balconies which look directly into our first floor bedrooms, living rooms and gardens.
- We have needed to plant evergreen trees at the end of the gardens to mitigate overlooking from the houses built, use as a balcony would provide further visual intrusion.
- There is currently one opaque glass screen between Houses 11 and 10 but no information has been provided as to what is meant by “alongside the installation of glass privacy screens”. Are there more to be installed?
-The application form section 12 is incorrect. It states that the site cannot be seen from the public road or public footpath. This is incorrect as the balcony can be clearly seen from both the road and the street.

Planning Officer’s comments to the objections:

5.2 An additional obscure glass screen is proposed on the other end of the balcony to that currently installed (east end). Officer’s note that the applicant has filled out section 12 stating that the site cannot be seen from public land. Section 12 of the

form relates to site visits for the planning officer's assessing the application. Although part of the site can be seen from public spaces, the proposal does require access onto the site to view the entirety of the site and its surroundings.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)
11. Making effective use of land
12. Achieving well-designed places

6.2 London Plan (2021)
Relevant policies include:
D3 Optimising site capacity through the design-led approach
D4 Delivering good design

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)
Relevant policies include:
CS 14 Design

6.4 Merton Sites and Policies Plan – 2014 (SPP)
Relevant policies include:
DM D2 Design considerations in all developments
DM D3 Alterations and extensions to existing buildings
DM D4 Managing heritage assets

6.5 Supplementary planning considerations
London Housing SPG – 2016
Merton Design SPG – 2004

7. PLANNING CONSIDERATIONS

7.1 The planning considerations in this case relate to the whether the development would have an acceptable impact on the host dwelling, surrounding character and neighbouring amenity.

Character and Appearance

7.2 London Plan Policies D3 and D4, Core Strategy Policy CS14 and SPP Policies DMD2 and DMD3 specify requirements for well-designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings. DMD4 requires development within a conservation area to conserve or enhance the significance of the area.

7.3 The proposal involves very limited external alterations given that the railings around the roof are already present, and therefore few adaptions are needed to make the roof safe for balcony use. The proposal would involve removal of Juliet railings fronting the existing door openings. However, officers consider that this

change would be virtually unnoticeable from external views towards the building. The applicant proposes to install a 1.7m obscure glass screen to be installed along the eastern end of the flat roof. This would match the privacy screen installed between the subject property and its neighbour (no. 10). The privacy screen would not be of size or position to detract from the building or paired building's appearance.

7.4 Overall, officers consider that the proposal would preserve the character and appearance of the existing dwelling, the group of buildings, and this part of the conservation area, and would thereby be compliant with adopted policy objectives.

Impact upon neighbouring amenity

7.5 SPP Policy DM D2 states that proposal must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.6 The use of the terrace would afford some views north towards a large three, storey redbrick building (Regency Place), which comprises a number of residential dwellings. However, it is considered that the vantages created would not cause material harm to justify refusal of the application. The separation distance from the proposed terrace and the rear facing windows of the dwellings in Regency Place would be approximately 20m at the closest point. This separation distance would be sufficient to ensure that the individuals using the terrace would not gain close or penetrative views into neighbouring habitable rooms. As such, the proposal would not result in a materially harmful loss of privacy. This conclusion is further supported by London Plan housing guidance for development which, while not prescribing a threshold, acknowledges that a separation distance of over 20m has been considered acceptable in terms of avoiding overlooking.

7.7 In addition, existing evergreen trees planted between the building and Regency Place provide a good degree of visual screening, and serve to protect privacy. It also needs to be emphasised that the terrace can only be accessed from the property's master bedroom, rather than a living room. Therefore this terrace would unlikely be an external space for entertaining visitors to the property, which would more likely be at the ground floor by using the property's rear garden.

7.8 In terms of the paired neighbour to the applicant building, No 10 the Drive, the use of the rear projection as a terrace would provide some views towards the neighbour's rear garden. However, it is noted that there are already some views attained towards No 10's rear garden from other houses within the redevelopment area, including the rear windows of the applicant property. Therefore the majority of views attained from the proposed terrace would not be new. In addition, the existing privacy screen between the two buildings would further act to limit views into the neighbouring site. The proposal would therefore not create an undue

adverse impact on this neighbour's privacy.

7.9 In terms of other impacts such as noise and disturbance, the proposed terrace area is relatively small and would not be suitable for a large social gathering. Furthermore, the property has a number of external areas at rear, below the subject terrace, in which people could reasonably generate noise audible to neighbours. The proposed terrace is unlikely to create additional noise that would be above what could already be generated within other external areas to the building, and therefore would not create additional harm in this respect.

7.10 Overall, the proposal would have an acceptable level of impact on the amenity of surrounding residential neighbours, compliant with the objectives of Local Policy.

8. CONCLUSION

8.1 The scale, form, design, positioning and materials of the proposed privacy screen would preserve the character and appearance of the area, and the host building. Impacts to neighbours from the use of the roof as a terrace would not be harmful. Therefore, the proposal complies with the principles of policies DMD2, DMD3 and DMD4 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and D3 and D4 of the London Plan 2021.

RECOMMENDATION

Grant planning permission subject to the following conditions.

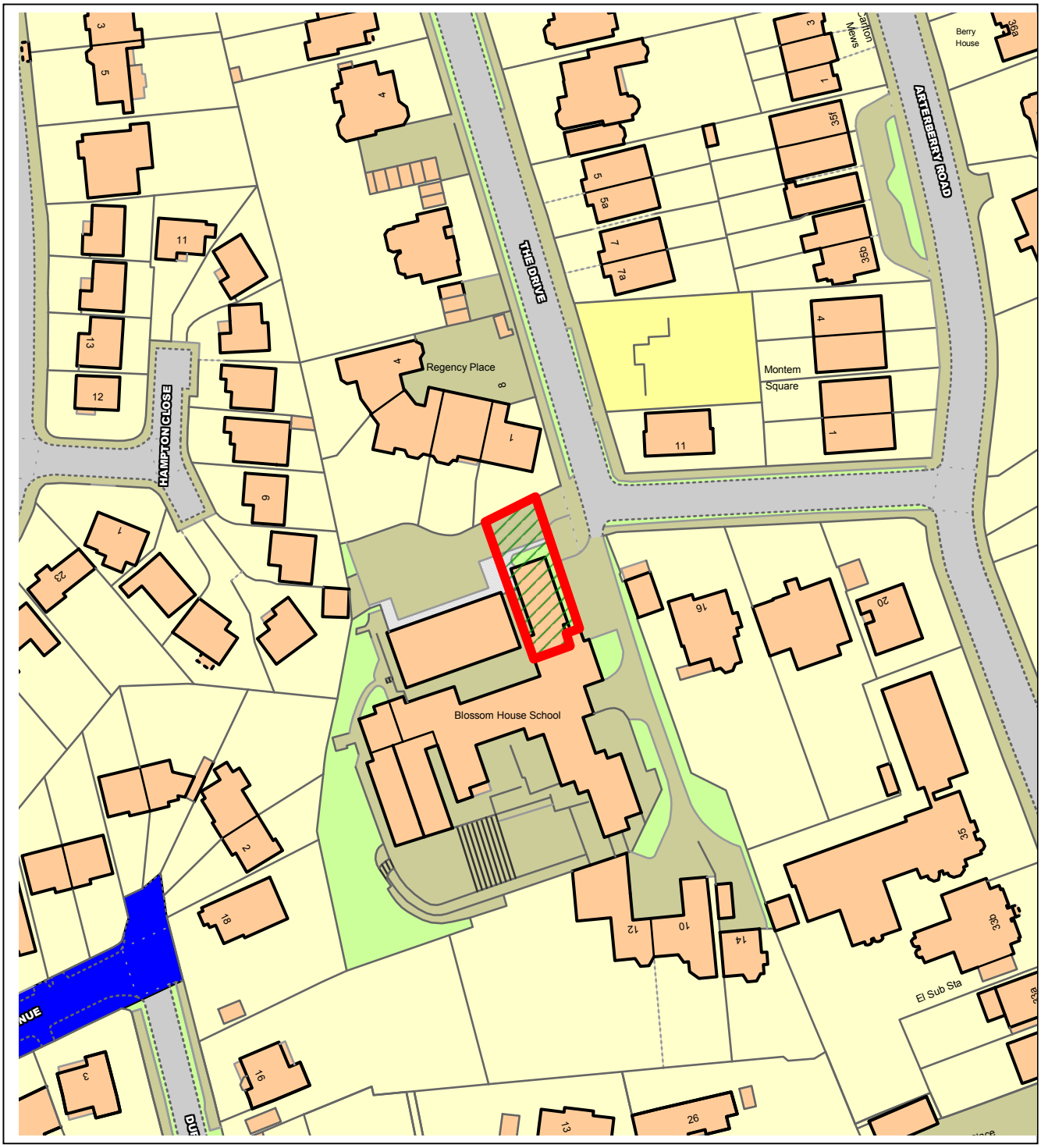
1. Standard A1 3 years - Implementation of planning permission

2. Standard condition A7 [Approved plans]: The development hereby permitted is for the deck, steps and screening as described by the following approved plans: [Refer to the schedule on page 1 of this report].

   Reason: For the avoidance of doubt and in the interests of proper planning.

3. Non-standard condition. No part of the terrace shall be used until such time as the privacy screens are installed. The privacy screens shall be retained for so long as the terrace remains in use.

NORTHGATE SE GIS Print Template



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NORTH

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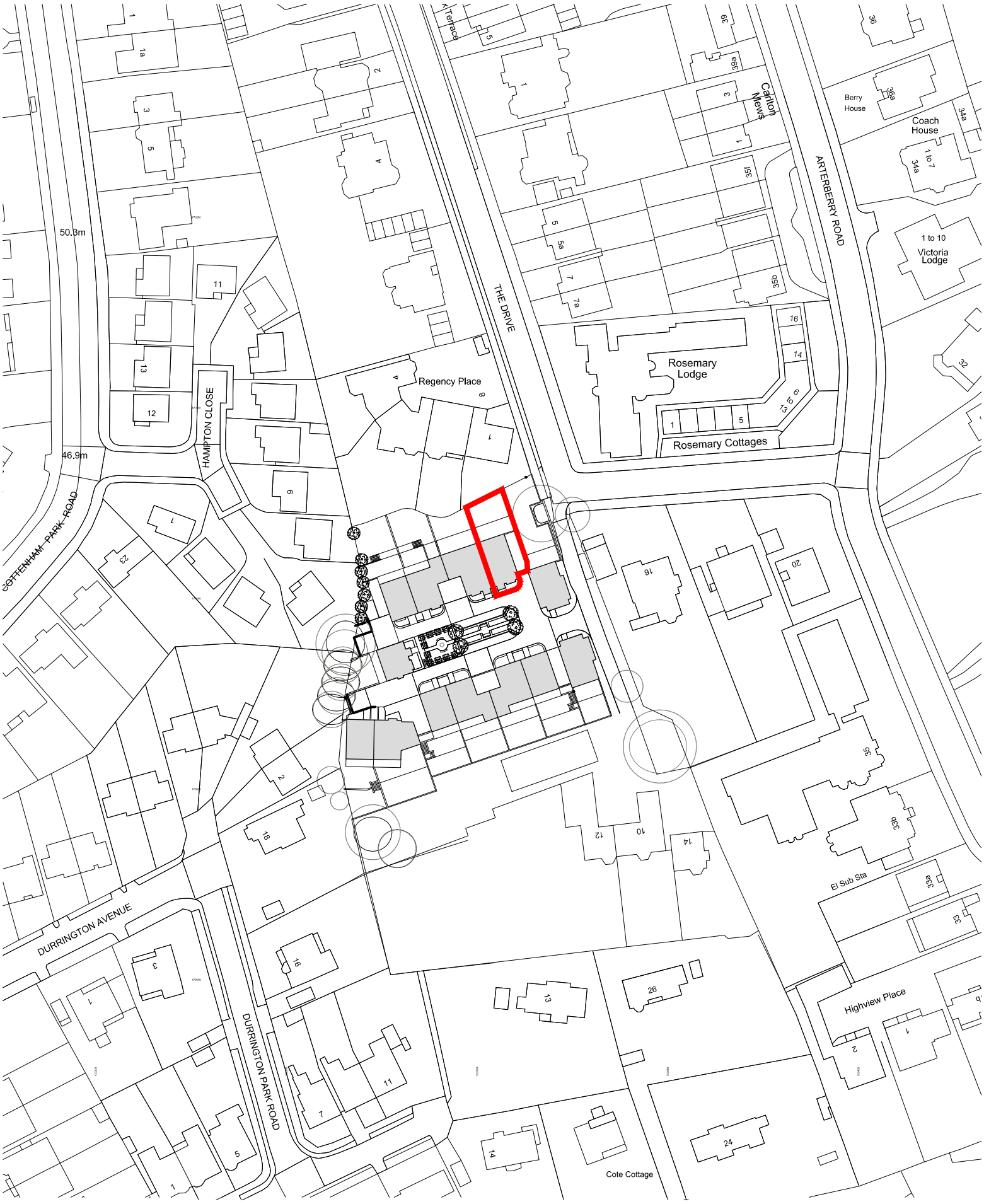
PLANNING

Site Boundry



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modulor studio
5a Iliffe Yard
London. SE17 3QA
t: +44 (0)20 7703 0124
e: www.modulor-studio.co.uk

client.
CORONADO

project address.
No11, Blossom Square, SW20 8TG

drawing title.
Site Location

scale.
1:1250 @ A3

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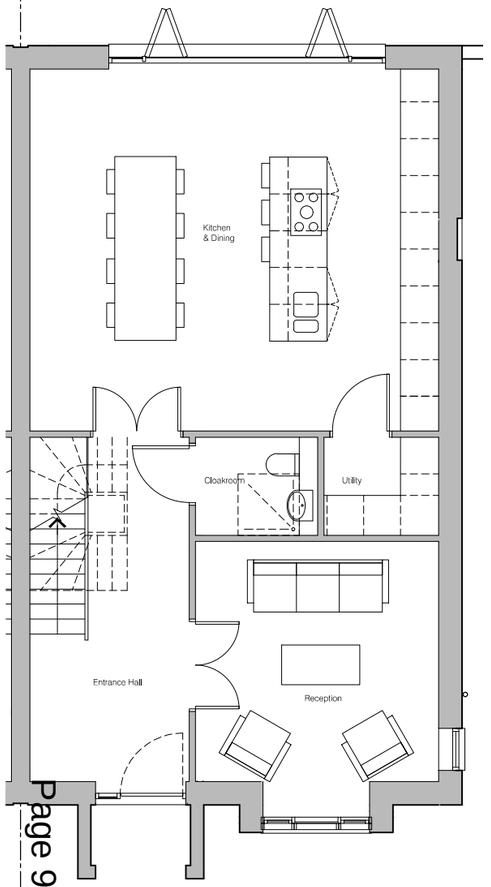

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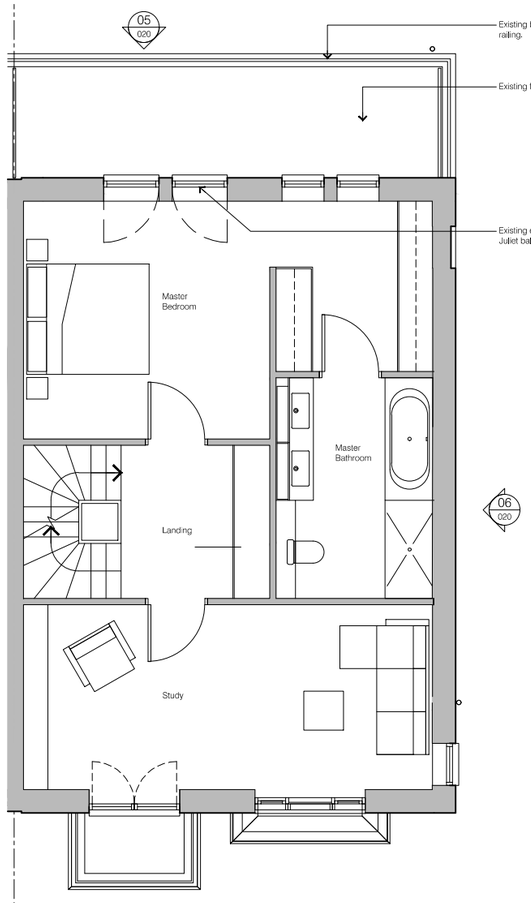

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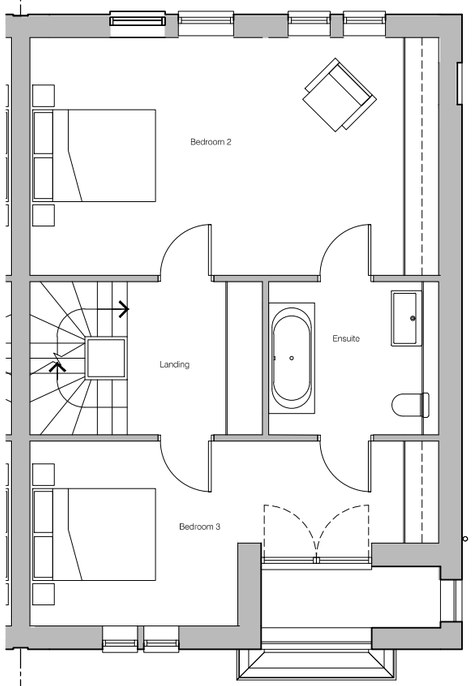
05 Rear Elevation
1:50 @ A1 / 1:100 @ A3



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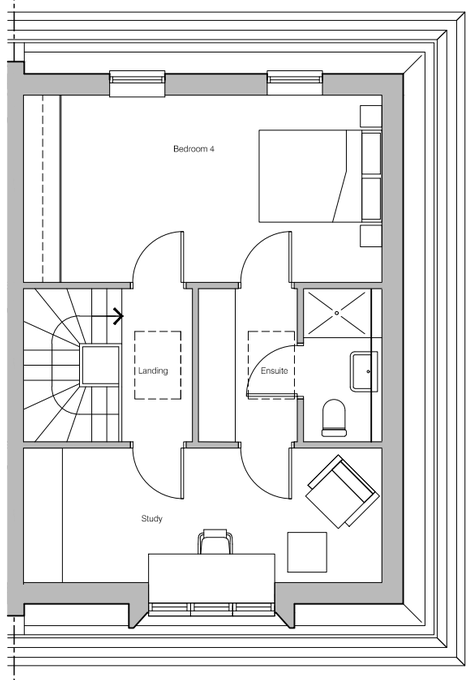

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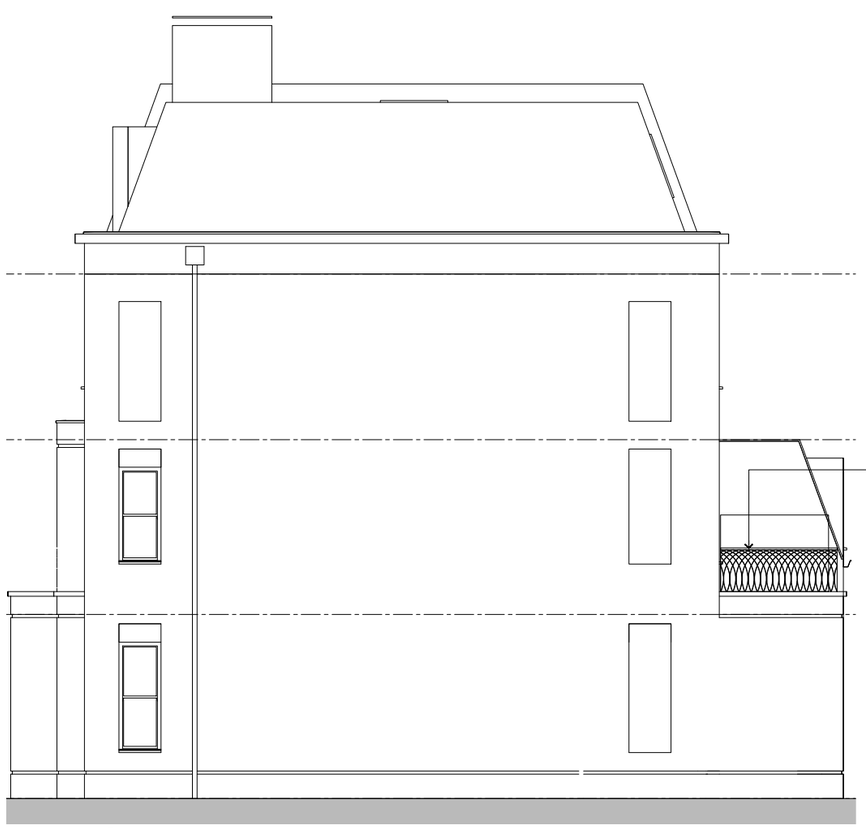

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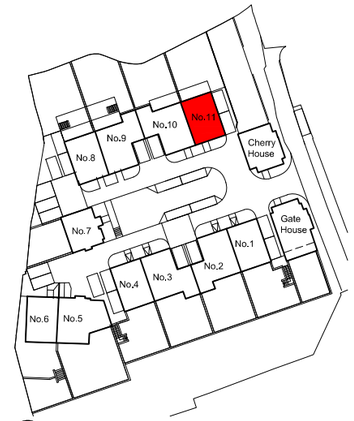

10 Site Key Plan
NTS

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A	21.03.23 AH	LG	House number corrected, Issued for PLANNING

modulor studio
5a Iliffe Yard
London, SE17 3QA
t: +44 (0)20 7193 1717
e: www.modulor-studio.co.uk

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project address.
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drawing title.
Existing Plans, Elevations & Section

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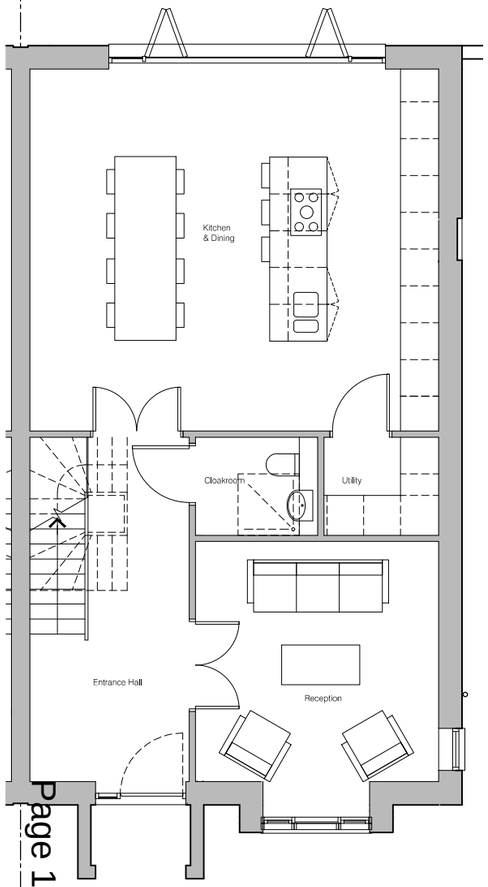

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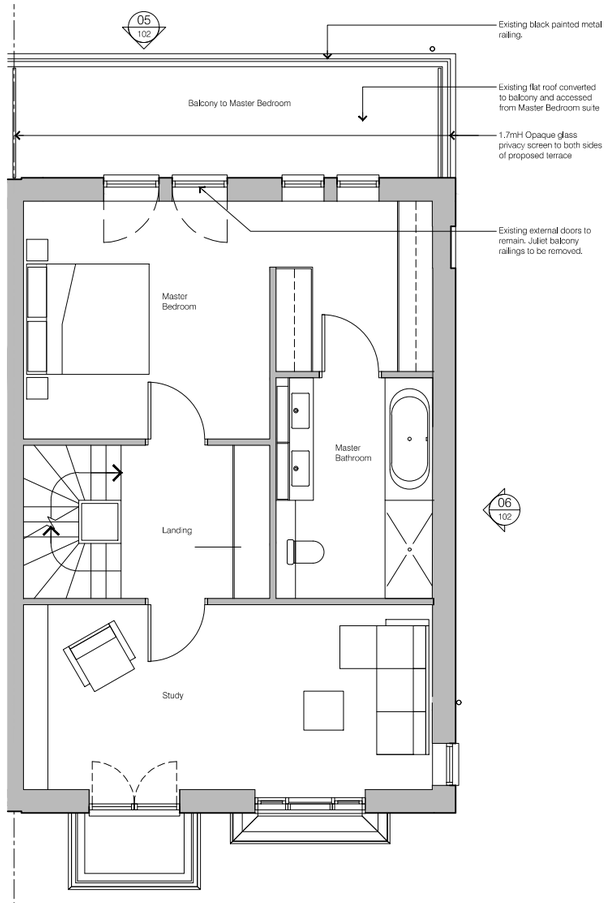

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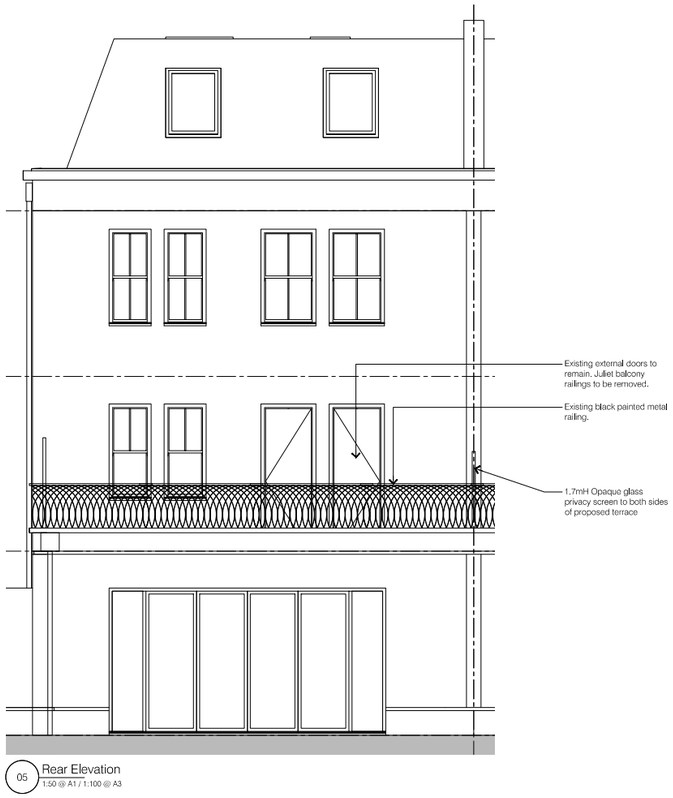

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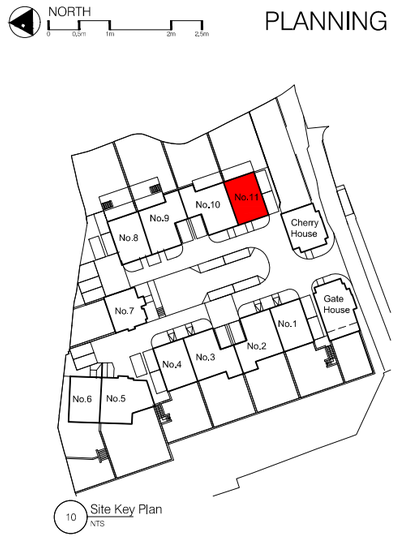

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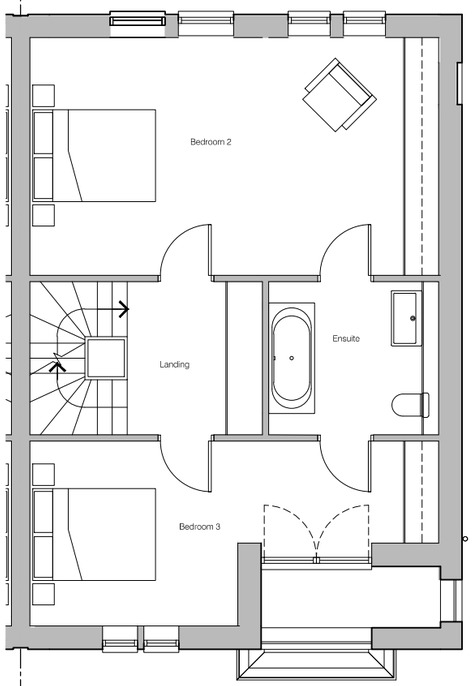
NTS



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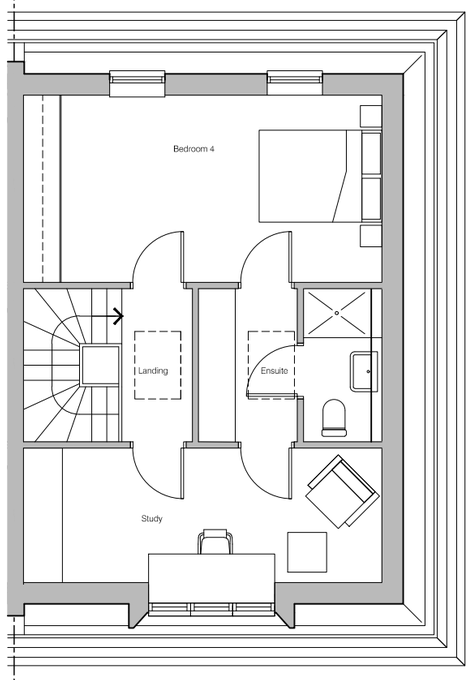

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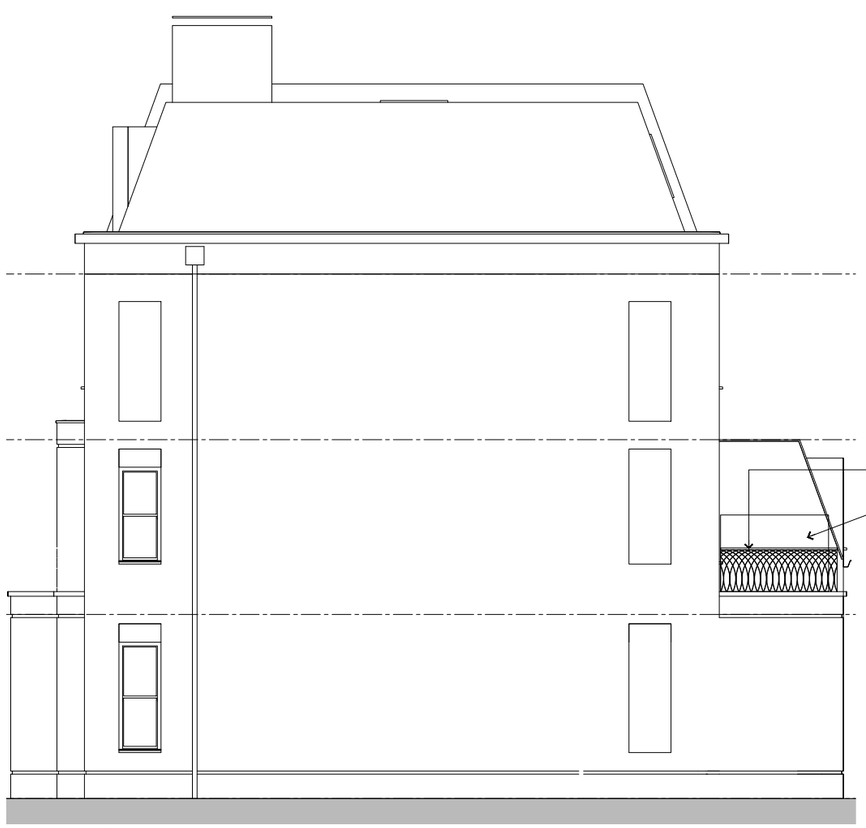

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	APPLICATION NO.	DATE VALID
	21/P0943	01/03/2021

Address/Site:	7 Christchurch Close Colliers Wood London SW19 2NZ
Ward:	Colliers Wood
Proposal:	DEMOLITION OF EXISTING GARAGE AND ERECTION OF 1 x 2 BED TWO STOREY DETACHED DWELLINGHOUSE
Drawing No.'s:	400(PL)06 Rev B; 100(PL)07 Rev D; 100(PL)08 Rev D; 100(PL)09 Rev C; 400(PL)05 Rev B; 400(PL)04 Rev B.
Contact Officer:	Catarina Cheung (020 8545 4747)

RECOMMENDATION

Grant planning permission subject to conditions and Section 106 obligations.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 13
- External consultations: 0
- Controlled Parking Zone: Yes, Zone CW4
- Archaeological Zone: No
- Conservation Area: No

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

2. SITE AND SURROUNDINGS

2.1 The application site comprises an end of terrace residential dwelling with a detached garage within the rear garden, located on the northern side of Christchurch Close in Colliers Wood.

2.2 7 Christchurch Close has been extended by way of a two storey side extension with a single storey rear extension, this property has been converted into 2 flats (granted 2004). But this proposals concerns only the detached garage at the rear of the garden.

2.3 The surrounding area is predominantly residential in character. Christchurch Close is an area of uniform 1950's terrace properties, surrounded by 1930s buildings fronting Colwood Gardens (north) and 1920s buildings Fortescue Road (south).

2.4 The site is not located within a Conservation area nor is the property locally or statutorily listed.

2.5 The site has a PTAL of 4 and is located in a Controlled Parking Zone, Zone CW4.

3. CURRENT PROPOSAL

3.1 This application seeks planning permission for the demolition of the existing detached garage and erection of a part single part two storey 2bedroom/3person detached dwellinghouse.

3.2 For the main property, 7a/7b Christchurch Close, the ground floor flat (7a) would be provided with a new southern window in their rear extension to serve the kitchen/dining room.

3.3 The proposed dwellinghouse would have the following dimensions:
- 6.78m width;
- 8.38m depth;
- The single storey element would have a height of 3.1m;
- The second storey element would have a height of 5.8m.

3.4 The new dwellinghouse would provide a 2bedroom 3person unit with an internal GIA of 71sqm.

3.5 The garden would have an area of 35sqm.

3.6 Refuse bins and cycle stores would be located at the front of the dwellinghouse.

4. PLANNING HISTORY

Garage at rear of 7 Christchurch Close

4.1 17/P1712: ERECTION OF A SINGLE STOREY DETACHED STUDIO FLAT. – Refused 30/06/2017 & Appeal dismissed 21/08/2018

Reason 1 - The proposal by reason of its design, layout and siting would result in a prominent and incongruous form of development which would be harmful to the established character and appearance of Christchurch Close and would be visually intrusive and harmful to the outlook and residential amenities of the occupiers of the ground floor flat at no.7 Christchurch Close. The proposal would therefore be contrary to policy DMD2 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.1, 7.4 and 7.6 of the London Plan 2015.

Reason 2 - The proposal results in an unacceptable standard of outdoor amenity space to the detriment of the amenities of future occupiers by reason of its width and enclosed nature. This would be contrary to policies DMD2 of the Adopted SPP 2014, CS9 and CS14 of the LBM Core Strategy 2011 and 3.5 and 7.6 of the London Plan 2015 and the London Housing Supplementary Planning Guidance 2016.

4.2 16/P4232: ERECTION OF A SINGLE STOREY DETACHED STUDIO FLAT – Refused 19/12/2016

Reason 1 - The proposal by reason of its design, layout and siting would result in a prominent and incongruous form of development which would be harmful to the established character and appearance of Christchurch Close and would be visually intrusive and harmful to the outlook and residential amenities of the occupiers of the ground floor flat at no.7 Christchurch Close. The proposal would therefore be contrary to policies DMD1 and DMD2 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.1, 7.4 and 7.6 of the London Plan 2015.

Reason 2 - The proposal results in an unacceptable standard of outdoor amenity space to the detriment of the amenities of future occupiers by reason of its width and enclosed nature. This would be contrary to policies DMD2 of the Adopted SPP 2014, CS9 and CS14 of the LBM Core Strategy 2011 and 3.5 and 7.6 of the London Plan 2015 and the London Housing Supplementary Planning Guidance 2016.

Reason 3 - The proposal, by reason of its failure to demonstrate how the development will make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy, would result in an unacceptable level of carbon dioxide emissions and would therefore have a harmful impact on the mitigation of climate change. This would be contrary to Policy CS15 of the LBM Core Strategy 2011 and Policy 5.2D of the London Plan.

Main property 7 Christchurch Close

4.3 04/P2203: CHANGE OF USE FROM A SINGLE FAMILY DWELLING HOUSE TO 2 X 2 BED SELF CONTAINED FLATS INCLUDING ERECTION OF A FIRST FLOOR SIDE EXTENSION AND THE FORMATION OF TWO PARKING SPACES, ONE WITH ACCESS TO THE REAR THE OTHER WITH ACCESS FROM THE FRONT OF THE PROPERTY. - Granted 02/12/2004

4.4 01/P2240: ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION – Granted 17/01/2002

4.5 MER1002/65: SINGLE STOREY EXTENSION TO REAR OF DWELLING HOUSE – Refused 05/05/1966

5. CONSULTATION

External

5.1 Public consultation was undertaken by way of letters sent to 13 neighbouring properties. 10 representations were received, the summary of their objections are as follows:

- The proposed dwelling is completely uncharacteristic in relation to other properties within this immediate vicinity. Not aesthetically pleasing in relation to the period houses within this cul-de-sac;
- Overbearing design not conducive to the site proposed;
- Totally wrong and out of place;
- Building would be an eyesore;
- The proposal by reason of its ultra-modern design, layout and siting would result in a prominent and incongruous form of development harmful to the established character of Christchurch Close and would be visually intrusive, built on a very small area of land. Sticking out like a sore thumb;
- Potentially reduce the value of neighbouring properties;
- 7 Christchurch Close consists of 2 flats, would be quite over developed as it already has been extended to include full side and rear extensions. The outside space therefore being quite compromised by this development;
- Overdevelopment and overpopulation of the existing plot;
- Will set a precedent for other neighbouring properties to convert their garages create a “concrete jungle” effect;
- The gardens are very small;
- Loss of daylight, sunlight, privacy and increased shading to neighbouring properties;
- Will render neighbouring gardens not fit for its purpose;
- The alleyway access to the side elevation of the proposed development is used by Christchurch Close for refuse collection, deliveries and access to owners’ garages so is frequently used. Concerned if scaffolding were erected in and along the entrance to the alleyway restricting access;
- The proposed development hindering access to neighbouring garages as space is already tight to get in and out;
- Alley is already in a weakened position, and as it is a private alley, it will fall down to residents to repair and pay costs accordingly;
- Any further housing would cause stress on parking, pollution, school acceptance and noise;
- Noise and disturbance and traffic generation during construction would put further stress on a road that is already suffering the wear and tear of its age and heavy vehicles;
- Sewerage/soil drains to the property at 7 Christchurch Close have cause problems in the past following its conversion. It is a communal drain with adjoining properties and has been blocked on several occasions in the past. The application suggests the new property will be added into the existing system potentially exacerbating/overwhelming the existing drainage/foul system;
- None of the residents have been notified from the Council of this application;
- If this application is allowed it will be another area overpopulated and the family feel of this road will sadly not exist;
- Likely to be nuisance on neighbouring from having further tenants.

5.2 The scheme was amended and a 14 day re-consultation carried out 06/05/2021, 11 representations were received. Many comments reiterated the concerns initially put forward (above), summary of the new concerns raised:

<u>Siobhain McDonagh MP</u>

- My constituent informs me this is not the first application to have been submitted by the neighbour and that the current proposals represent only minor alterations to a prior approval refused by the Council.

- Concerned the development would encroach on their privacy, overlooking their house and garden, and would come only a short time after the construction of an extension to her neighbour's kitchen and his splitting the property into 2 separate flats.

Others

- Christchurch Close is a small and populated close, with limited parking and facilities for existing residents. Further housing would cause stress on an already deteriorating road, parking, pollution, school acceptable rates and noise;
- Overdevelopment and overcrowding for the site;
- New building is out of character;
- Residents in the past have been told building works need to be designed in line with the homes on the road, to grant a building that looks so widely out of place would contradict any previous planning permission and advice given by Merton;
- Obstruct light and loss of privacy;
- Unacceptable to overshadow other properties;
- They adjacent alley is private, any building works conduced will put a strain on the alley as it is not robust and block entrance/exit to alley which is in daily use;
- The alley is private, this will require further permission from all residents as to whether or not this can go ahead. The Council cannot grant permission on private land and thus there needs to be additional permission sought out for this application;
- Inadequate parking in Christchurch Close;
- The road cannot sustain the noise, disturbance and traffic generation from this site to be built;
- The alley needs continual access;
- Oppose the amended plans;
- Changes to the application make no difference;
- A lot of older residents on the road, a building site would cause concern for the safety of these older members when walking on foot on the pavement where the site is;
- Safety concerns after the build is done;
- With all the new building in very close proximity to Christchurch Close, surely this is not deemed to be a needed construction? ;
- The site plan indicates access road is 3.5m, at present it is 3.6m. Does this mean we will lose 10cm of our access way?

Internal

5.3 LBM Transport officer –

PTAL: The site is located in an area with a PTAL of 4 which is very good being well located to all the services and facilities afforded by the district centre.

CPZ: The streets in the vicinity of the Site fall in the CW4 Controlled Parking Zone with restrictions in place between 8.30am and 6.30pm Monday through Friday and between 11am and 3pm on Sunday.

Car Parking: No off street car parking is proposed. Given the site's easy accessibility to bus and Colliers Wood underground Station, a car free development would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zone. To be secured via S106 legal agreement.

Cycle Parking: The proposal provides 2 cycle spaces (secure & undercover) which satisfies the London plan Standards.

Refuse Collection: Refuse collection will take place from the Christchurch Close carriageway in the same manner as the existing nearby premises.

Recommendation: The proposal is unlikely to have a significant impact on the adjoining highway network. Raise no objection subject to conditions: 2 cycle parking spaces (secure & undercover) as shown maintained; Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zone.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2021)

Relevant policies include:
D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H2 Small sites
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 13 Sustainable drainage
T1 Strategic approach to transport
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

6.3 Merton Local Development Framework Core Strategy (2011)

Relevant policies include:
CS 8 Housing choice
CS 9 Housing provision
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Transport

CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)

Relevant policies include:
DM D1 Urban design and the public realm
DM D2 Design considerations
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to the Road Network

6.5 Supplementary planning considerations

Merton's Explanatory Note: Approaches to Sustainable Design and Construction 2020
London Plan Housing SPG – 2016
DCLG Technical Housing Standards - nationally described space standards 2015

7. PLANNING CONSIDERATIONS

7.1 The key planning considerations of the proposal are as follows:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, parking and cycle storage
- Refuse
- Sustainability

7.2 Principle of development

7.2.1 The National Planning Policy Framework, London Plan Policy H1 and the Council's Core Strategy Policies CS8 and CS9 all seek to optimise the potential of suitable sites for housing delivery in order to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that proposals are well designed and provide an acceptable standard of accommodation.

7.2.2 London Plan Policy H1 sets the ten-year targets for net housing completions that each local planning authority should plan for. Merton's annual housing target has been increased to 918 from 411 in the previous Plan. For London to accommodate the growth identified in the new Plan in an inclusive and responsible way, Policy D3 seeks to ensure that every new development needs to make the most efficient use of land by optimising site capacity, this means ensuring the development's form is the most appropriate for the site. Thus, since consideration in 2017 of a proposal for a new dwelling, officers would suggest that increased weight may be given to the merits of the delivery of an additional dwelling.

7.2.3 Further, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites (below 0.25 hectares in size), so to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.2.4 The development seeks to provide an additional residential unit on the site through the erection of a new detached dwellinghouse within the rear garden plot. The principle of

doing so is considered acceptable and in line with policies seeking to increase provision of additional homes and through intensification of the site.

7.2.5 However, whilst the principle of the development is considered acceptable, the scheme is also subject to the following criteria being equally fulfilled and compliant with the relevant policies set out in the London Plan, Merton's Core Strategy, Merton's Sites and Policies Plan and supplementary planning guidance.

7.3 Character and Appearance

7.3.1 London Plan Policy D3 requires development proposals to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Development proposals should be of high quality, with architecture that pays attention to detail and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

7.3.2 Local Policies CS14, DMD1 & DMD2 further supports this, requiring new developments to reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment, by using appropriate architectural forms, language, detailing and materials which complement and enhance the wider setting.

7.3.3 The NPPF is encouraging of developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). As mentioned in para 7.2.3, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites, highlighting the need to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.3.4 To understand the evolution of the design, it is helpful to revisit the previously refused permissions in 2016 (16/P4232) and 2017 (17/P1712 – also dismissed at appeal).

7.3.5 The previous designs attempted single storey forms:

- 2016. The officer's delegated report described: "The proposal would take the form of a brick box with a hipped roof above. There would be a small flat roof projection adjacent to the track, the street facing elevation would have the main front door and two projecting bay windows. This would be set back 1.5m from the rear of the footpath. Given the surrounding form of development, with modest garages in the rear gardens and terraced properties, the proposal would be visually prominent especially given its proximity to the footpath and its overall height. Furthermore the flat roof projection creates an odd lopsided appearance from the street".

- 2017. The Inspector's report: "The flat roof design for the proposed studio flat would not complement the form or style of the host property nor harmonise with the streetscene. The proposed limited separation between the principal elevation of the dwelling and the road would not be in keeping with the prevailing pattern of development and as such would be harmful to the character of the area. Further, the asymmetric frontage would be a jarring element to the design which would not respect the regular appearance of the existing terraces. The development would also include a large expanse of blank wall to the side elevation which would result in an unappealing elevation highly visible from Christchurch Close. These elements lead me to conclude that the design of the proposed studio flat would have a

detrimental effect on the character and appearance of the surrounding area".

7.3.6 The mutual concern in both applications were the design of the proposals and an unacceptable standard of outdoor amenity space – the external amenity shall to be discussed in Section 7.5. In relation to the design, the new proposals may reasonably be considered as representing a marked improvement and offering the potential to deliver a high quality design solution.

7.3.7 The application site does not lie within a designated area of distinct heritage or architectural value; however the surrounding housing design is fairly uniform along Christchurch Close comprising modest two storey 1950s terraces so there is some significance collectively in its homogeneity.

7.3.8 The application site lies at the end of 7 Christchurch Close's garden bounded by a vehicular access path to its west, with neighbouring gardens north and east. The shape, size, location and character of the plot is not similar to that of the existing neighbouring properties whereby a straightforward replica of the surrounding building forms would be appropriate. It requires a more bespoke and modern solution to mould itself into the space, establishing a new building form with the potential to enhance the streetscene.

7.3.9 Unlike the refused permissions, the proposed dwelling in this application would be of an increased two storey height. The previous single storey forms looked to present an "upgraded" garage toward the streetscene, with attempts to add residential details with bay window attachments and a hipped roof over part of the building, which was viewed as odd. But the flat roof form within this design is deliberate, it evenly matches the eaves height of the neighbouring properties forming a relationship with its surroundings.

7.3.10 The front building line of the proposed dwelling would be set back 1.8m from the pedestrian pathway, and would sit flush with the southern elevation of 7 Christchurch Close. The proposed use of brick and timber takes cues from the existing palette of materials in the surrounding area, but delivers them in a contemporary manner such as through the use of timber cladding and feature brickwork. The side elevations (east and west) are animated with appropriate window openings and a curved brick wall to soften neighbouring views and to avoid large expanses of blank unappealing facades.

7.3.11 The London Plan (2021) acknowledges at para 3.1.7 that change is a fundamental characteristic of London, **respecting character and accommodating change** should not be seen as mutually exclusive. Understanding of the character of a place should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place's distinctive character, recognising that not all elements of a place are special and valued. Officers consider that the scope to deviate from the design of the neighbouring dwellings derives from the plot's size, unique shape and location. A modern building solution has been put forward which would creatively optimise the use of the plot and establish a distinct dwellinghouse to contribute and enhance the Christchurch Close streetscene.

7.4 Neighbouring Amenity

7.4.1 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. London Plan Policy D3 states that development should deliver appropriate outlook, privacy and amenity.

7a and 7b Christchurch Close

7.4.2 The single storey element of the proposed dwellinghouse, toward the eastern elevation, would be set back 4.8m from the rear extension (serving the kitchen/dining area) of Flat 7a and 9m from the main rear building line (bedroom 1 window). A new window opening is proposed on the southern elevation of Flat 7a's rear extension to provide increased outlook and light to their kitchen/dining area.

7.4.3 On the first floor, there would be a 10m separation between Flat 7b's bedrooms windows and the proposed dwellinghouse. Between their WC window and the curved brick wall of the proposed dwellinghouse would be a separation of 8.85m. No windows are proposed on the first floor eastern elevation of the new dwellinghouse so as to avoid views toward the neighbouring bedrooms windows and overlooking into the ground floor flat's garden.

7.4.4 The separation distances are considered acceptable. Further, with a stepped design, this assists to reduce the visual dominance of the eastern elevation allowing neighbouring occupiers' adequate outlook and light. A condition restricting the use of the flat roofs shall protect neighbour amenity from overlooking.

8 Christchurch Close

7.4.5 8 Christchurch Close has been extended by way of a single storey rear extension (around 3.5m), with a large detached outbuilding/garage situated toward the rear of their garden which measures around 5.8m in depth.

7.4.6 Between the ground floor single storey elements of the buildings would be a separation distance of 5.5m, between the first floor side elevation of the new dwellinghouse and the single storey extension of 8 Christchurch Close would be 6.5m and 10m maximum separation between the upper levels.

7.4.7 No windows are proposed on the northern or eastern elevations of the dwellinghouse so as to avoid views onto 8 Christchurch Close's garage and into their garden and rear window/door openings.

7.4.8 It is noted the proposed dwellinghouse would undoubtedly be visible from the rear of 8 Christchurch Close with some shading introduced by the new form. However, the proposed building has been carefully considered so that it would not present a width greater than their existing outbuilding/garage – it would sit 0.2m narrower. The proposed stepped design, as mentioned in para 7.4.4, helps to increase the setback of the main two storey element and generally, the separation distances proposed are considered sufficient and would not present an oppressive or unneighbourly addition.

1-6 Christchurch Close

7.4.9 The proposed detached dwellinghouse would not project beyond the rear building line of 1-6 Christchurch Close, therefore it is unlikely the proposal would affect the amenity of these properties' rear gardens.

7.4.10 Whilst the proposed dwellinghouse would project forward around 4.6m of 6 Christchurch Close's front building line, there is a vehicular access path spanning 3.6m

which separates the dwellings – or approximately 4.7m between the eastern elevation of 6 Christchurch Close and western elevation of the new dwellinghouse. Given the separation proposed between the properties, it is not considered the new development would have a detrimental impact toward the light, outlook or privacy of 6 Christchurch Close. The proposed windows on the western elevation of the new dwellinghouse would look directly onto the vehicular access track or toward Christchurch Close (the corner window on the first floor).

7.4.11 Overall, it is not considered the proposed development would have an unduly harmful impact toward neighbouring amenity.

7.5 Standard of accommodation

Internal

7.5.1 Policy D6 of the London Plan 2021 requires housing developments to be of the highest quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures, and should provide at least the gross internal floor area and built-in storage area set out in Table 3.1. Policies DMD2 and D6 require housing developments to provide an appropriate quality of living condition with sufficient daylight and sunlight to new and surrounding housing.

7.5.2 The dwellinghouse would provide a 2bedroom 3person unit with an internal GIA of 71sqm. The London Plan and Technical housing standards require 70sqm. The proposal would comfortably accord with the required internal space standards.

External

7.5.3 Policy DMD2 of the Council's Sites and Policies Plan requires new houses to provide a minimum garden area of 50 sqm as a single usable regular shaped amenity space.

7.5.4 The proposed garden would provide an area of 35sqm, laid out with a courtyard to the rear linked to patio areas at the side and front, screened along the front boundary with hedges/planting.

7.5.5 Whilst the proposed provision would fall short of 50sqm, it is not considered in this instance to be a determining factor for refusal of the scheme. The size of the unit proposed would accommodate up to a maximum of 3 persons, and a 35sqm garden area is considered an ample offer for the anticipated number of occupiers and would provide a sufficient usable external space for more passive rather than active outdoor activities.

7.6 Transport, parking and cycle storage

7.6.1 Merton SPP Policy DM T2 seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Policy DM T3 seeks to ensure that the level of residential and non-residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.

7.6.2 Core Strategy Policy CS20 and SPP Policy DM T5 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management, that that they minimise any impacts on the safe movement of people or goods, are appropriately located and connected to the road hierarchy; respect the streets character and environment.

7.6.3 The site has a PTAL of 4 which is considered very good, and is located in Controlled Parking Zone CW4. The proposed unit would not offer off-street parking, but as set out in the submitted Design and Access statement, a car free development is proposed. The Transport officer has been consulted and has raised no objection to this arrangement considering the sustainable location of the application site. If the application were minded to be approved, a suitable S106 legal agreement would be drafted to secure this as a car free development.

Cycle

7.6.4 Core Strategy Policy CS18 seeks to promote active transport by requiring new development to provide cycle parking, it encourages design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).

7.6.5 London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. In accordance with Table 10.2, residential dwellings should provide 1 space per studio/1 person 1 bedroom dwelling, 1.5 spaces per 2 person 1 bedroom dwelling and 2 spaces per all other dwellings.

7.6.6 The proposal provides 2 cycle spaces which satisfies the London plan standards.

7.7 Refuse

7.7.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.

7.7.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

7.7.3 Refuse bins would be located toward the front of the property, this is considered a suitable location and would be convenient for pulling out on collection days. This arrangement is not dissimilar to the manner in which refuse is currently collected along Christchurch Close.

7.8 Sustainability

7.8.1 Merton's Core Planning Strategy (2011) Policy CS15 outlines how all minor and major development, including major refurbishment, should demonstrate: how the proposal makes effective use of resources and materials, minimises water use and CO2 emissions; makes the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy and designed to withstand the long term impacts of climate change.

7.8.2 London Plan Policies SI 2, SI 5 and Merton's Sustainable Design and Construction Explanatory note, expects developments to achieve carbon reductions beyond Part L from energy efficiency measures alone to reduce energy demand as far as possible. For minor residential developments, development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

7.8.3 The application is accompanied with an Energy statement which concludes that the sustainable measures considered for the proposed development can achieve a minimum of 20% reduction in carbon emissions, this is in line with Merton's targets. A condition shall be attached which will require further evidence to be submitted to demonstrate that a policy compliant scheme has been delivered prior to occupation of the development.

8. CONCLUSION

8.1 Since the determination and appeal pertaining to the 2017 application housing targets for the borough have more than doubled and the new London Plan acknowledges that the accommodation of change in the character of an area will need factoring in to the assessment of development proposals. The proposed development of this plot needs considering afresh and on its merits in the light of up to date planning policies and housing targets.

8.2 The scale, form, design, positioning and materials of the new dwelling house while modern and while they may be considered uncompromising, have, in the officer's judgement, been well-considered and provides a bespoke modern solution which appropriately optimises the use of the rear garden plot to provide further residential accommodation. In addition, the proposed development is not considered to have an undue detrimental impact toward neighbouring amenity, it would offer comfortable internal and external living environments, with adequate storage for refuse and cycle parking.

8.2 It is considered the proposal complies with the principles of policies referred to above in Section 6 and it is recommended to grant planning permission subject to the attachment of appropriate conditions and a S106 legal agreement to secure a car free development.

RECOMMENDATION

Grant planning permission with a S106 to secure a car free development, and the attachment of the following conditions:

1. A1 Commencement of Development – The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

2. A7 Approved Plans – The development hereby permitted shall be carried out in accordance with the following approved plans: 400(PL)06 Rev B; 100(PL)07 Rev D; 100(PL)08 Rev D; 100(PL)09 Rev C; 400(PL)05 Rev B; 400(PL)04 Rev B.

3. B1 External Materials as specified – The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

   Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. B5 Details of Walls/Fences – No development shall be occupied until the boundary walls/ fences have been implemented in accordance with the approved drawings.

The walls and fencing shall be permanently retained thereafter.

5. C01 No permitted development (extensions) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

6. C02 No permitted development (windows) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed on the first floor eastern and northern elevations without planning permission first being obtained from the Local Planning Authority.

7. C06 Refuse & Recycling – No development shall be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. The development shall not be occupied until the scheme has been approved and carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

8. C09 No Use of Flat Roof – Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

   Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

9. D11 Construction hours – No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

10. H03 Redundant Crossovers – The development shall not be occupied until the existing redundant crossover/s have been be removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

11. H06 Cycle Parking – No development shall be occupied until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

    Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

12. Non-standard condition – No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the

Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day. Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 and SI 5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

Informatives:

13. INF Sustainability
14. INF Party Walls Act
15. INF 09 Works on the Public Highway – You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
16. INF 12 Works affecting the public highway – Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
17. INF 20 Street naming and numbering
18. Note to Applicant – approved schemes

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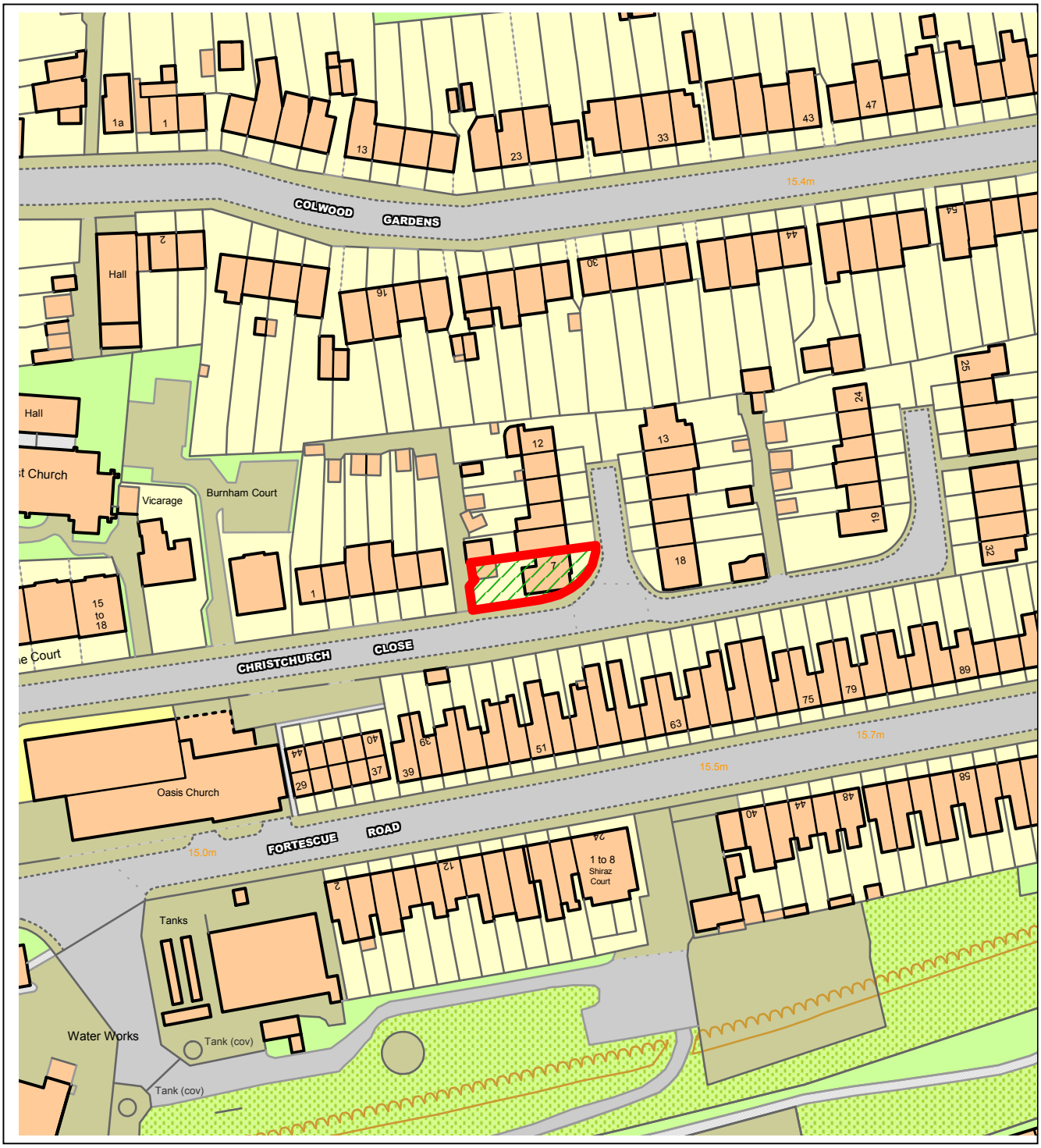
NORTHGATE SE GIS Print Template



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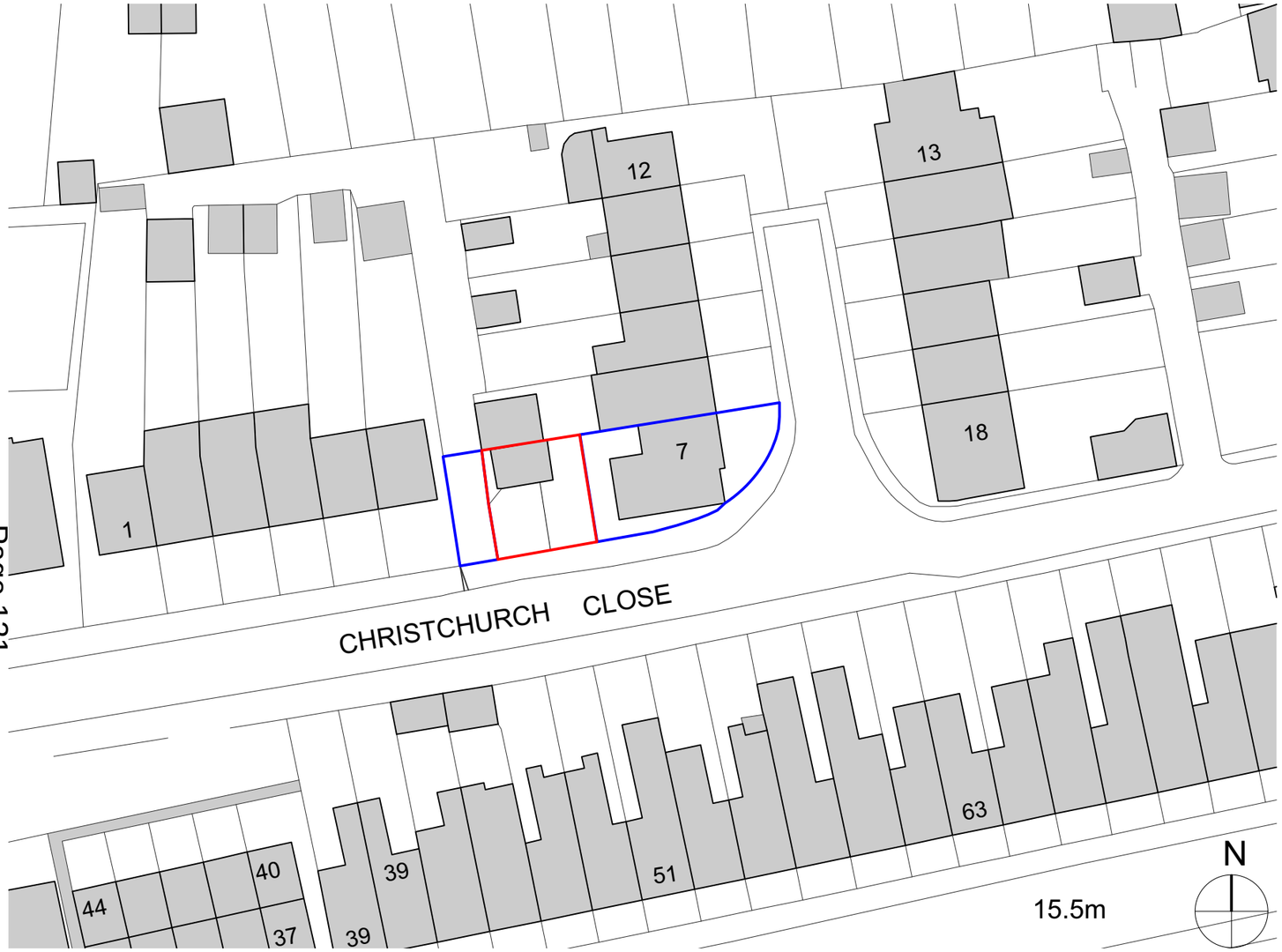
PLANNING



1 Location Plan
Scale: 1:500

0 25 35 m

2 Location Plan
Scale: 1:1250

0 20 30 m

7 Christchurch Close, Colliers Wood SW19 2NE
Loction Plan 400(PL)01

simonbrown architects
Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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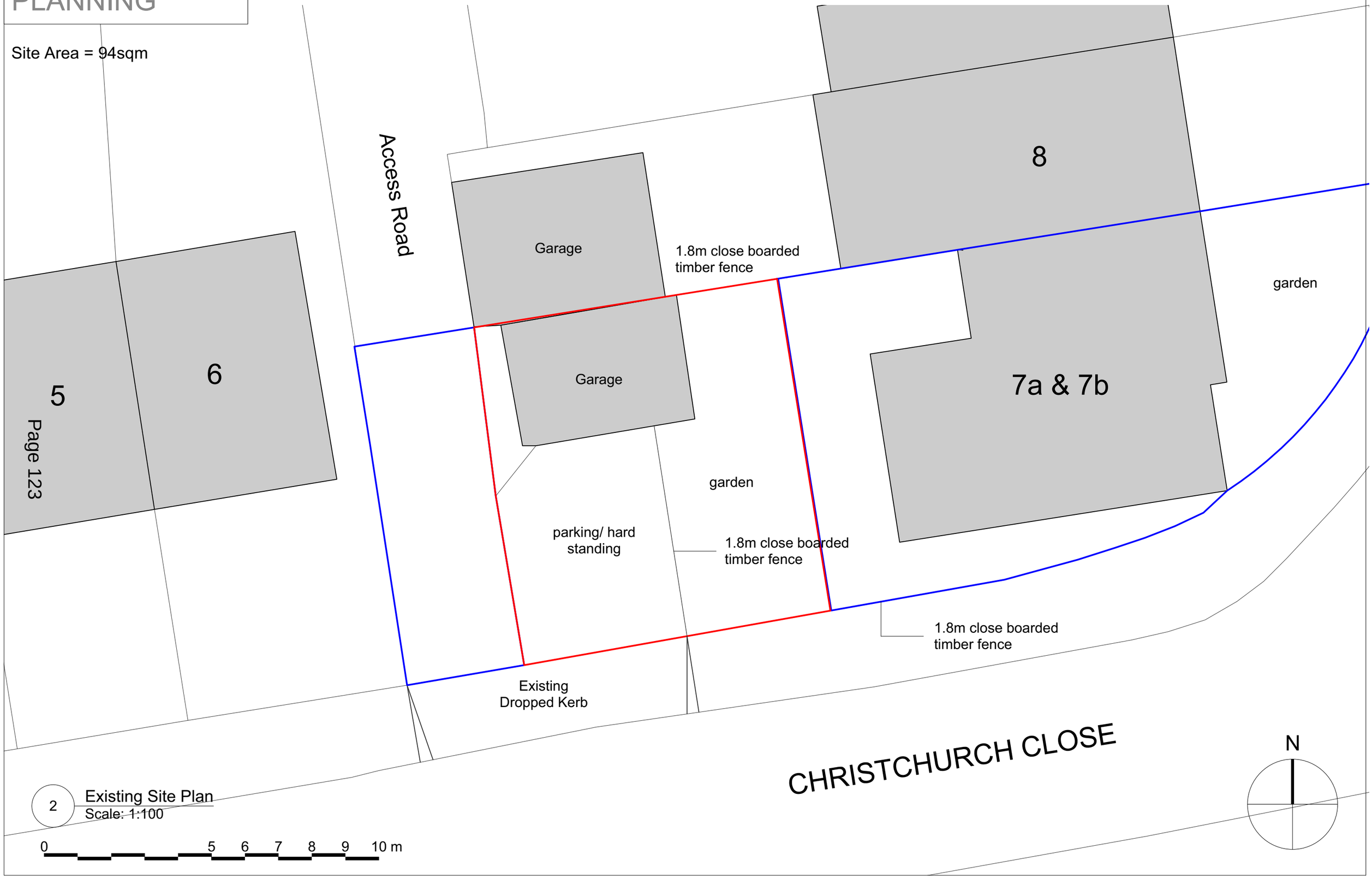
PLANNING

Site Area = 94sqm



7 Christchurch Close, Colliers Wood SW19 2NE

Proposed Site Plan 400(PL)02

simonbrown architects

Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY

T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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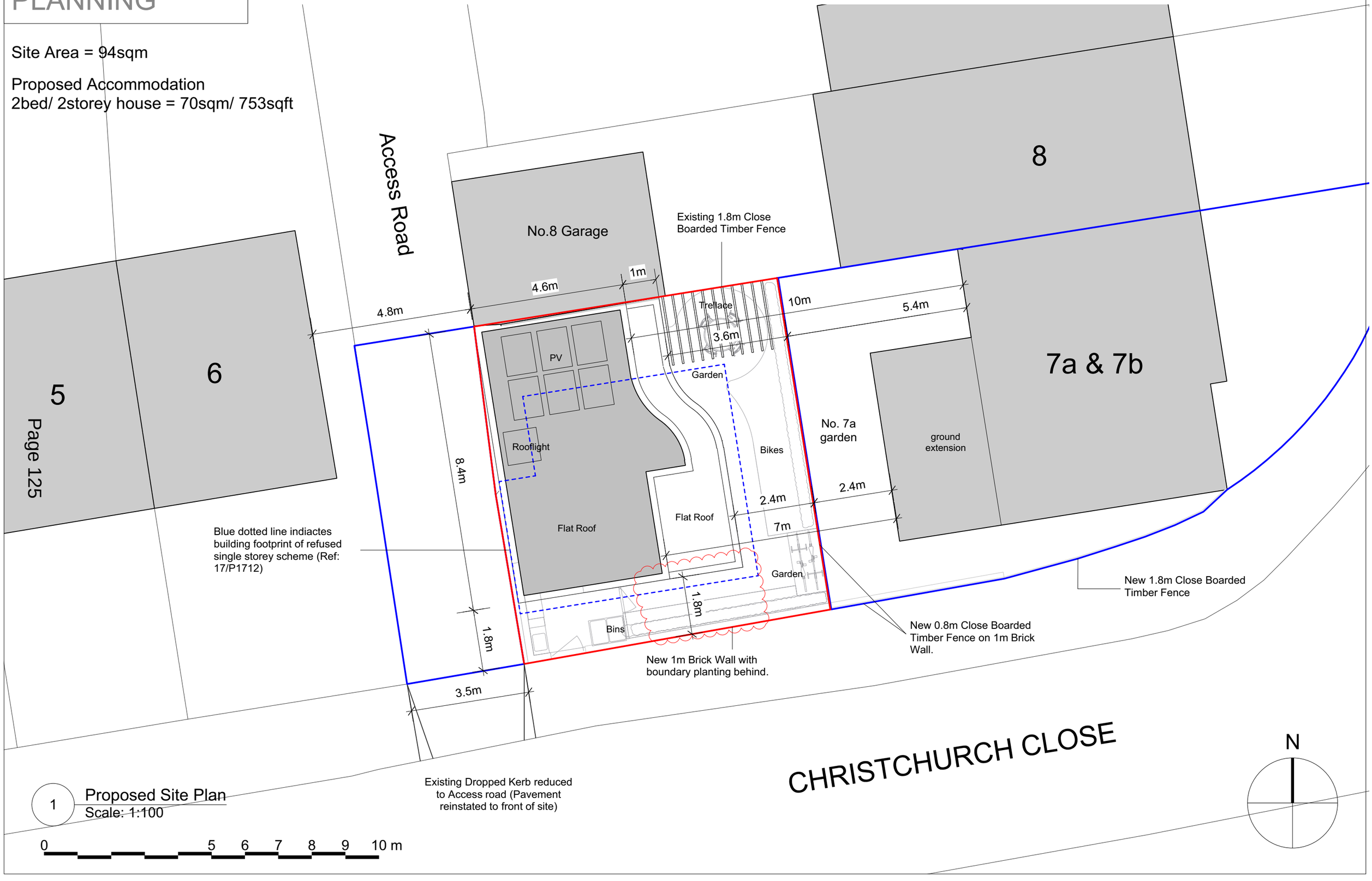
PLANNING

Site Area = 94sqm

Proposed Accommodation
2bed/ 2storey house = 70sqm/ 753sqft



1 Proposed Site Plan
Scale: 1:100

7 Christchurch Close, Colliers Wood SW19 2NE
Proposed Site Plan 400(PL)04 RevB

simonbrown architects
Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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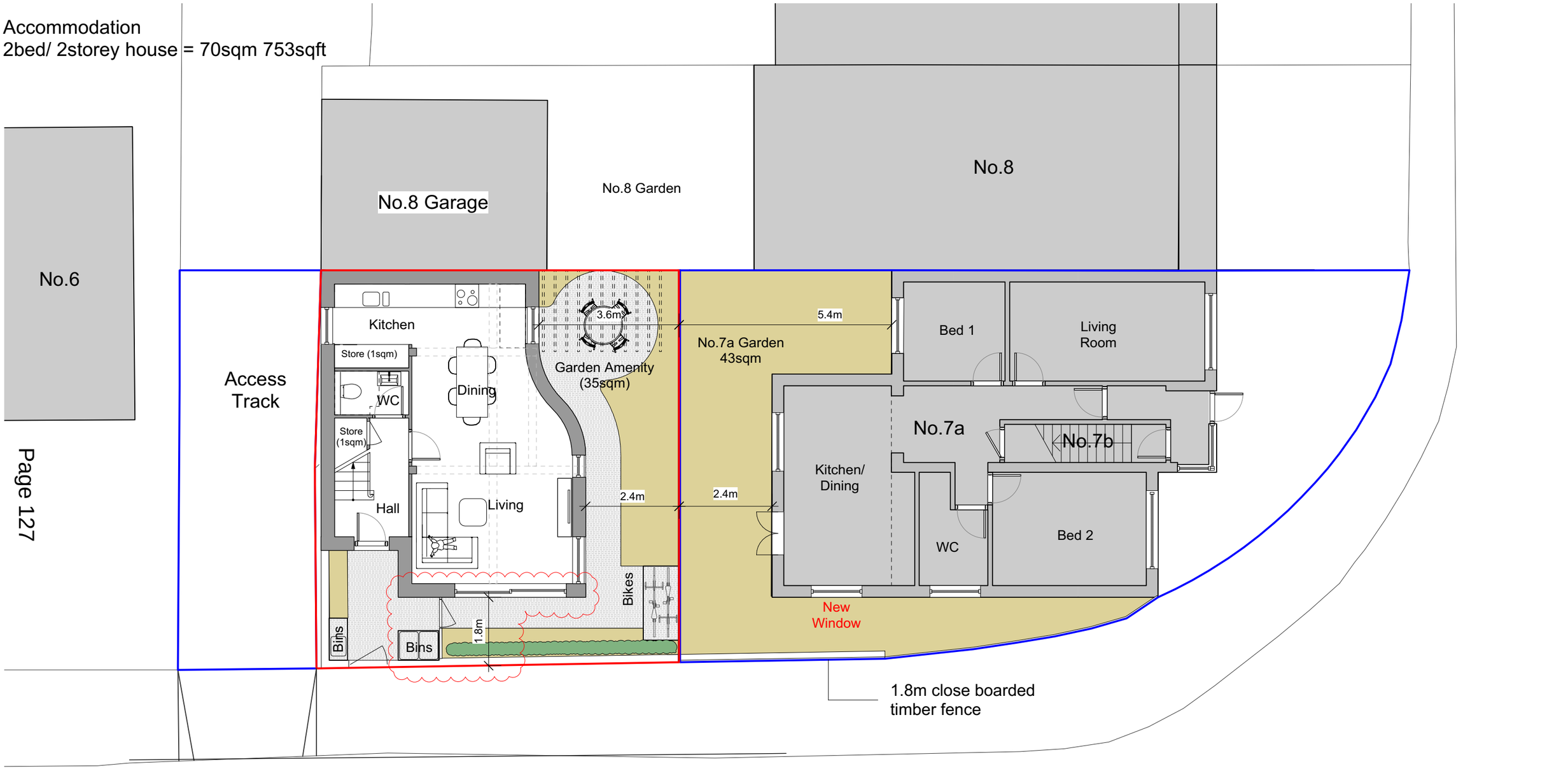
PLANNING

Accommodation
2bed/ 2storey house = 70sqm 753sqft



1 Ground Floor Plan
Scale: 1:100

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7 Christchurch Close, Colliers Wood SW19 2NE
Proposed Ground Floor Plan 400(PL)05 RevB

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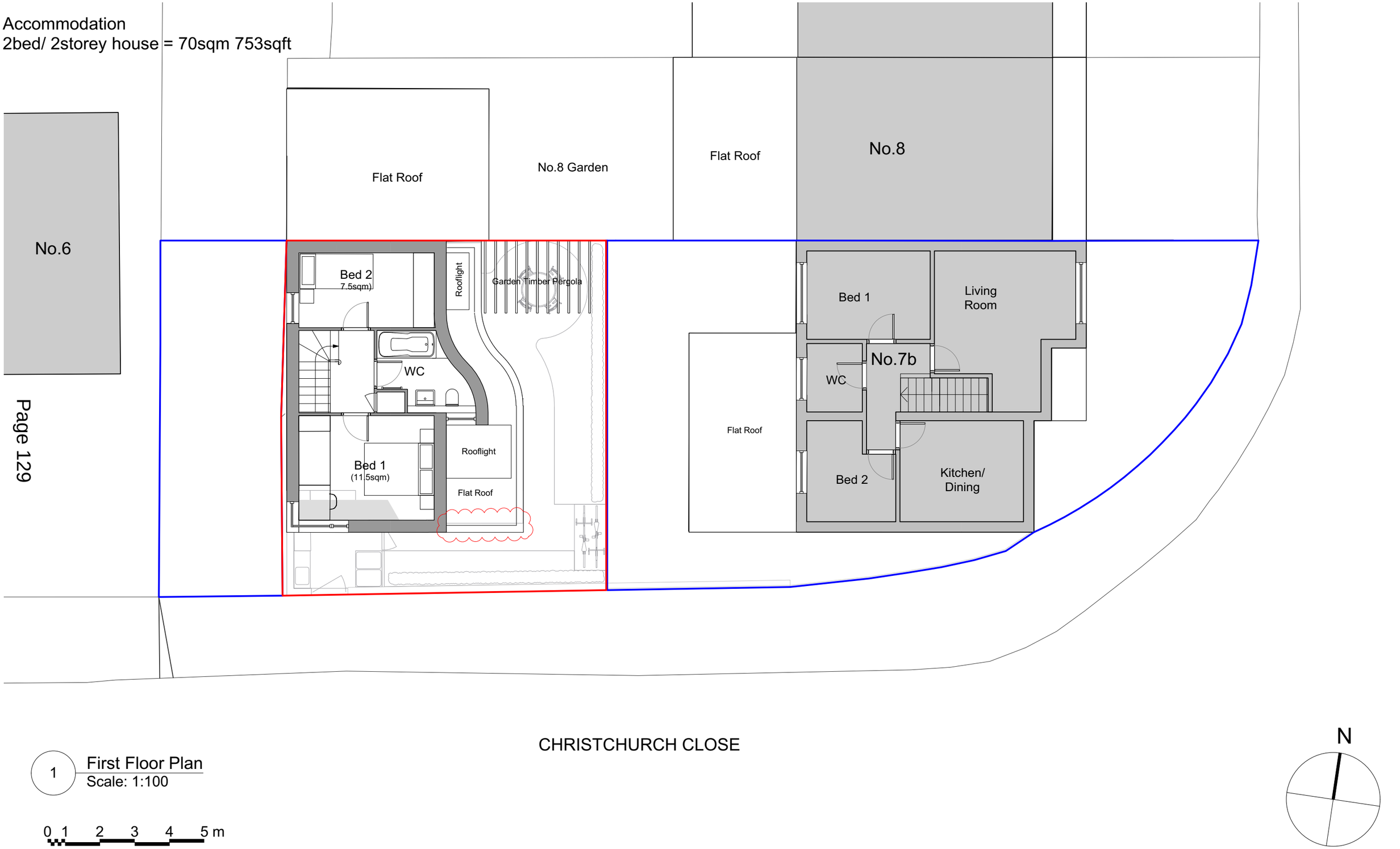
PLANNING

Accommodation
2bed/ 2storey house = 70sqm 753sqft



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1 First Floor Plan
Scale: 1:100

0 1 2 3 4 5 m

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7 Christchurch Close, Colliers Wood SW19 2NE
Proposed First Floor Plan 400(PL)06 RevB

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Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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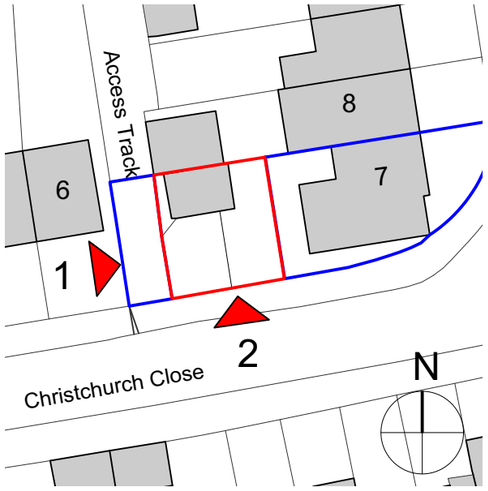
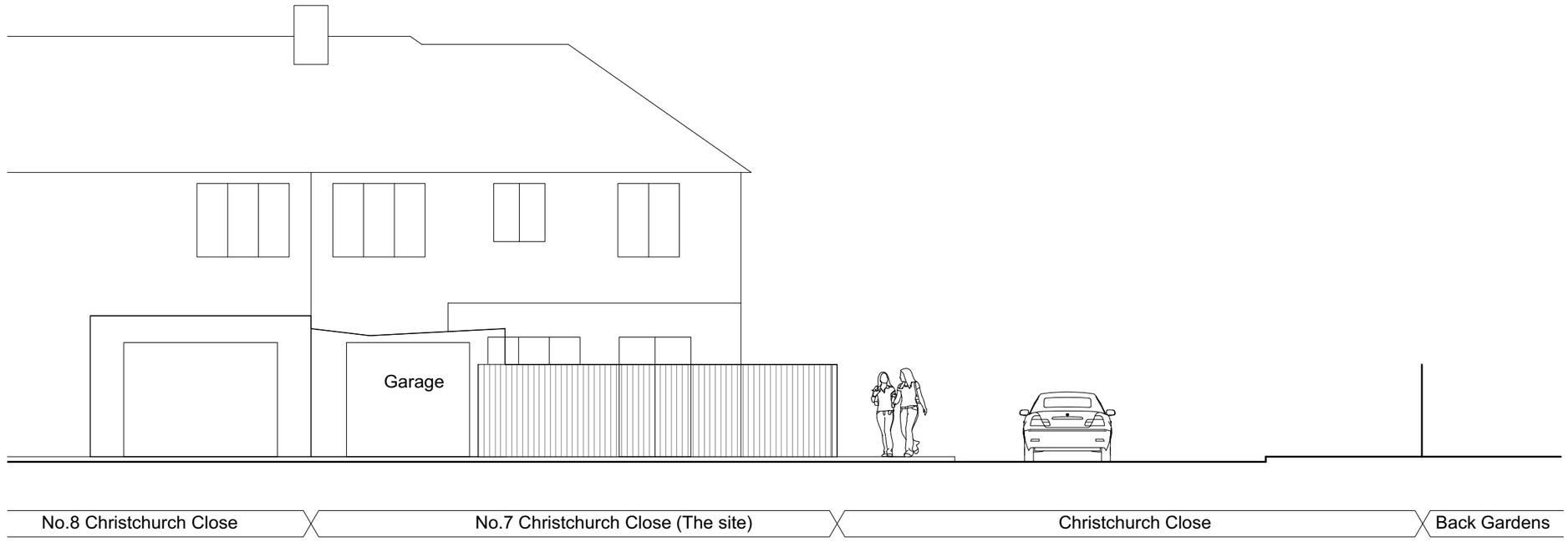
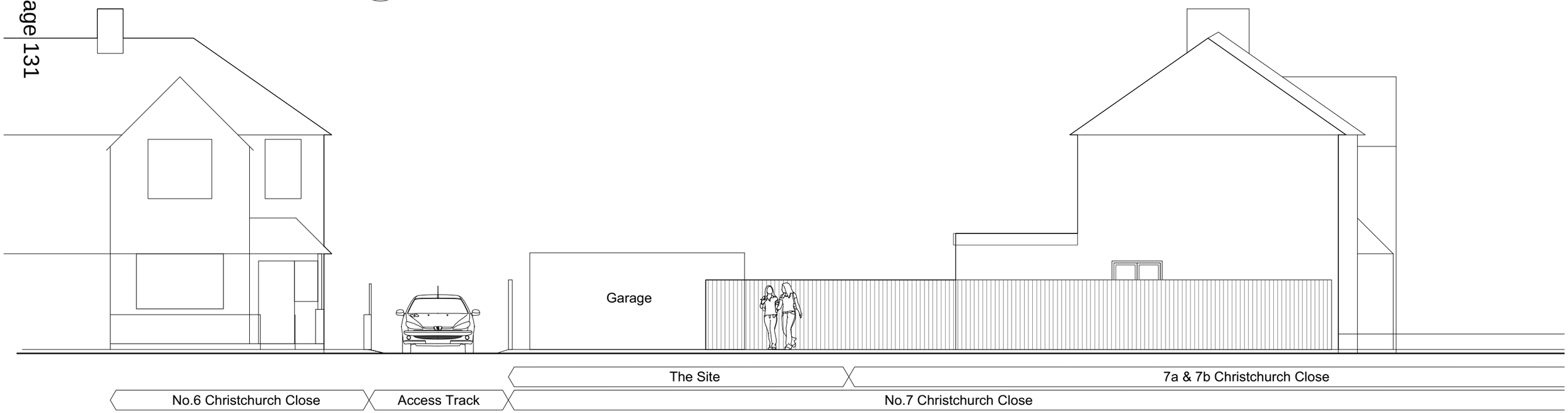




1 West Elevation
Scale: 1:100



2 South Elevation (Christchurch Close)
Scale: 1:100

0 5 6 7 8 9 10 m

7 Christchurch Close, Colliers Wood SW19 2NE

Existing Elevations 100(PL)03

simonbrown architects
Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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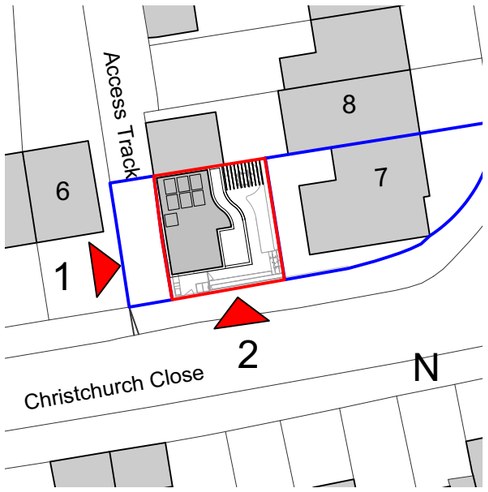
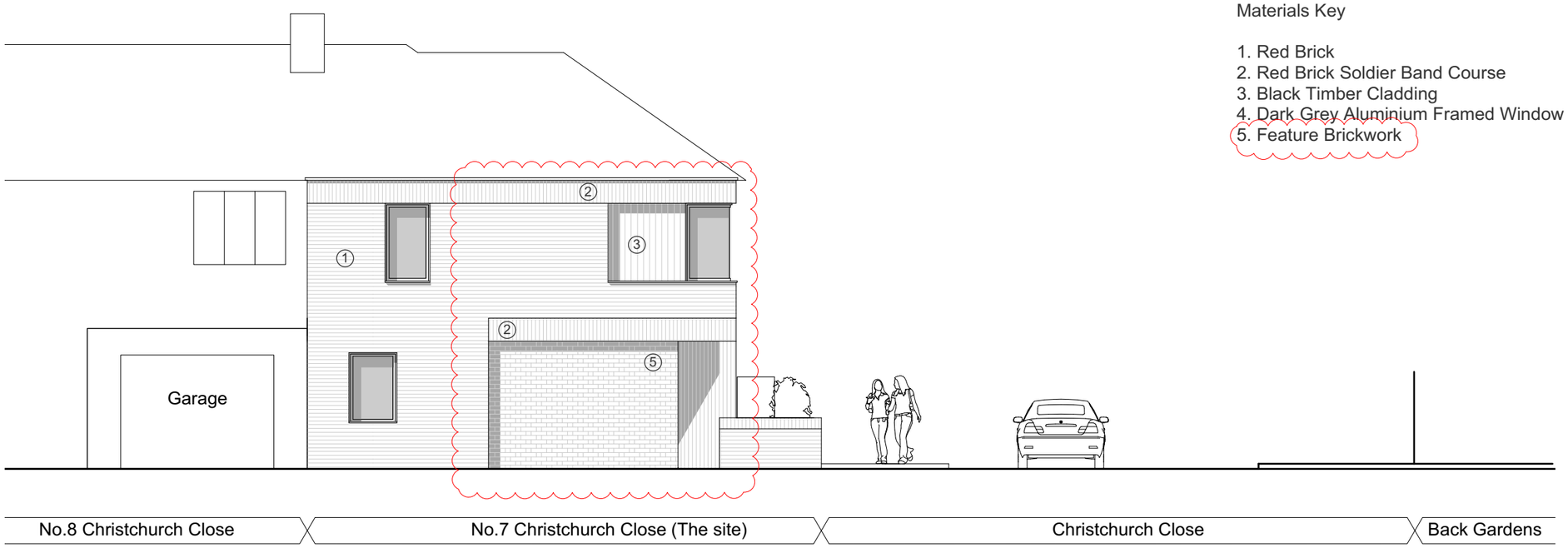
PLANNING

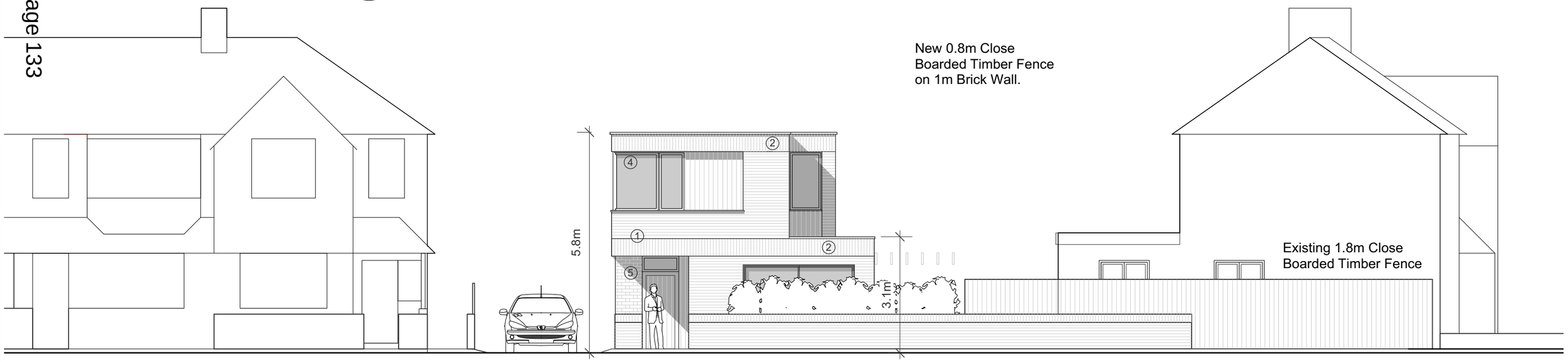




Materials Key

1. Red Brick
2. Red Brick Soldier Band Course
3. Black Timber Cladding
4. Dark Grey Aluminium Framed Window
5. Feature Brickwork

1 West Elevation
Scale: 1:100



2 South 'Streetscape' Elevation (Christchurch Close)
Scale: 1:100

0 5 6 7 8 9 10 m

7 Christchurch Close, Colliers Wood SW19 2NE
Proposed Elevations 100(PL)07 RevD

simonbrown architects
Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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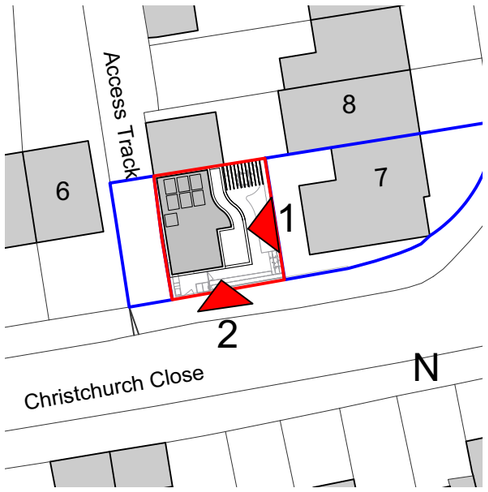
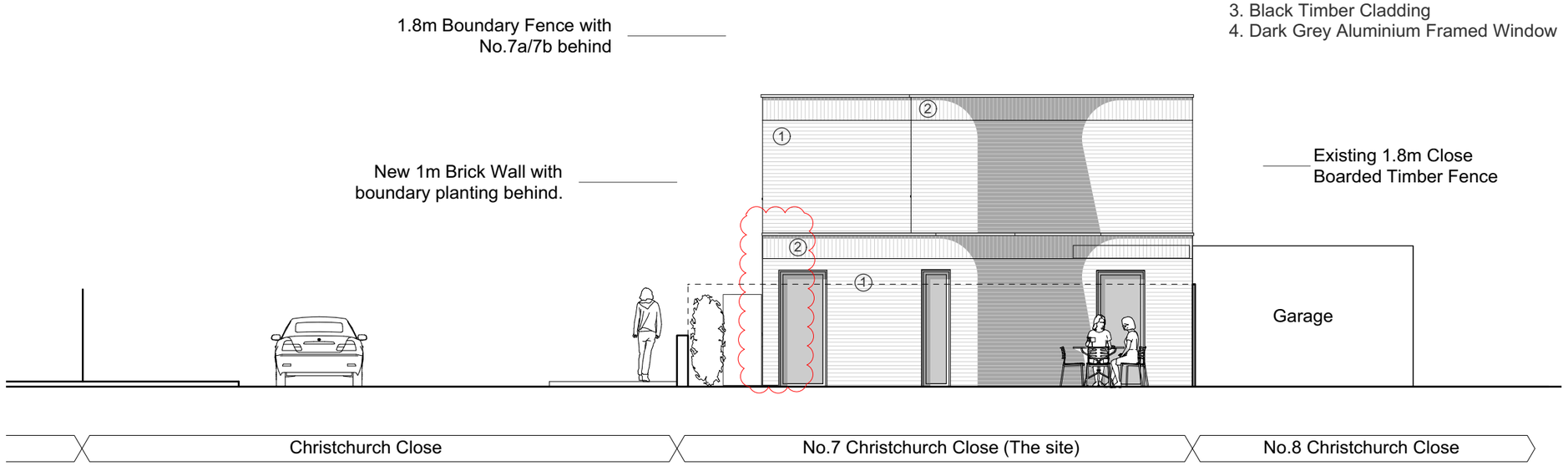
PLANNING



Materials Key

1. Red Brick
2. Red Brick Soldier Band Course
3. Black Timber Cladding
4. Dark Grey Aluminium Framed Window



1 West Elevation
Scale: 1:100

2 South Elevation
Scale: 1:100

0 5 6 7 8 9 10 m

7 Christchurch Close, Colliers Wood SW19 2NE
Proposed Elevations 100(PL)08 RevD

simonbrown architects
Phoenix Wharf, Eel Pie Island, Twickenham, London TW1 3DY
T: 020 8158 8880 | E: mail@simonbrownarchitects.com | W: www.simonbrownarchitects.com

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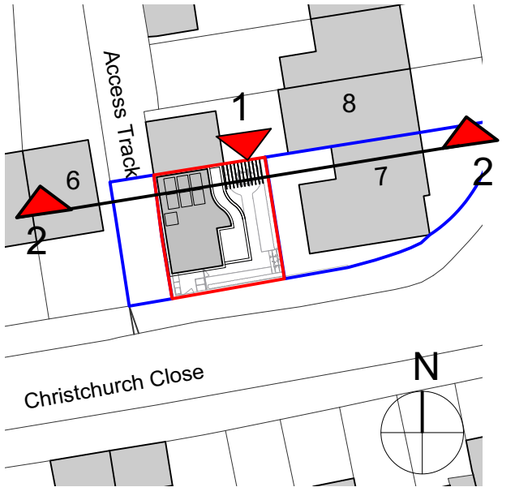
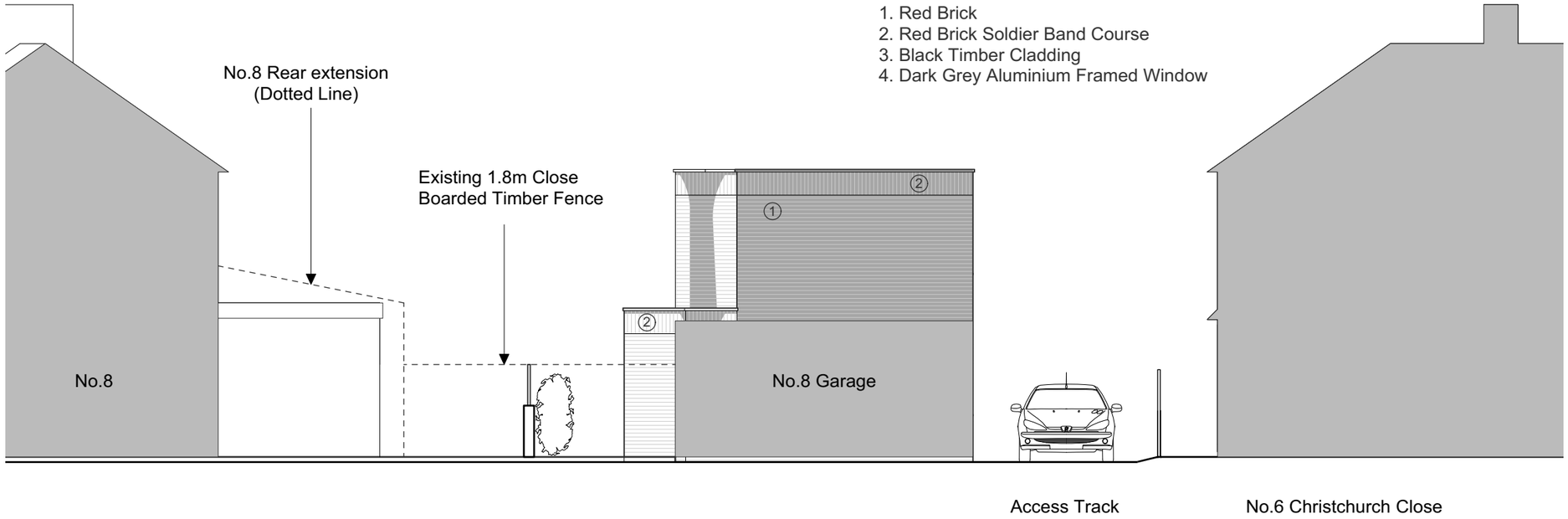
PLANNING

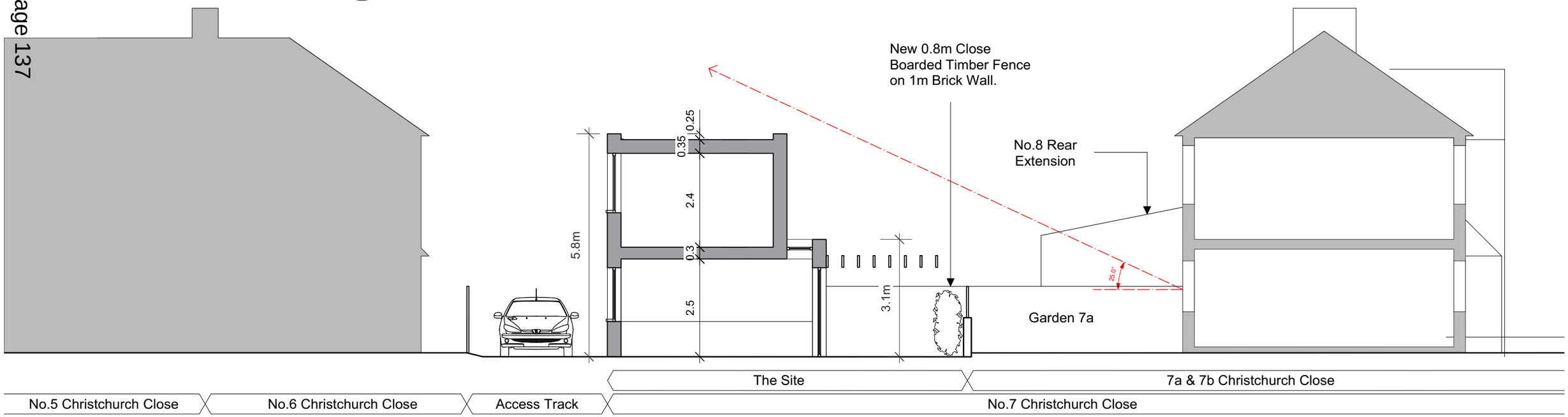


Materials Key

1. Red Brick
2. Red Brick Soldier Band Course
3. Black Timber Cladding
4. Dark Grey Aluminium Framed Window



1 North Elevation
Scale: 1:100



2 Cross Section
Scale: 1:100

0 5 6 7 8 9 10 m

7 Christchurch Close, Colliers Wood SW19 2NE
Proposed Elevations 100(PL)09 RevC

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View 1 Rendering from Christchurch Close

View 2 Rendering from Christchurch Close

Precedent Example of brickwork

4.8 Height, Massing & Streetscene

Height & and massing have been designed to sit in context with the Streetscene, with a maximum parapet height of 5.8m above ground floor level and lower single storey at 3.1m

The building is designed to be subservient to the existing terraces on Christchurch Close and is set back and stepped to create visual interest and minimise its impact on neighbouring amenity.

4.9 Materials & Elevational Treatment

As its plot size and context is different from others along Christchurch Close, the planning officer considered that this detached proposal might work more successfully deviating slightly from the neighbouring forms and architecture.

Replicating exactly the neighbouring buildings would not work, but a well-designed original modern dwelling could, to introduce a positive enhancement to the area.

Stepped, varying heights and masses to avoid being viewed as bulky – this might feed into the idea/design of a new 'modern' dwelling.

A relationship could be found between the surrounding dwellings and in the proposed materials of the new. Such as the potential use of timber cladding, picking up on the materials of the surrounding mock Tudor buildings.

A variegated reddish brick has been chosen to best compliment the variety of brick along the street, with brick patterns and the inclusion of timber cladding to add interest to the elevations.

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

Item No:

UPRN	**APPLICATION NO.**	**DATE VALID**
	20/P3635	11/11/2020

Address/Site	The All England Lawn Tennis and Croquet Club Church Road, Wimbledon, London, SW19 5AE
(Ward)	Village
Proposal:	Reconfiguration/alteration/extension of the existing millennium building including new/altered plant, new atrium, link to existing Somerset Road tunnel, provision of a roof level extension and associated new landscaping.
Drawing Nos	0005 Rev P02, PL011 Rev P03, 012 Rev P01, 201 Rev P03, 202 Rev P03, 203 Rev P03, 204 Rev P03, 205 Rev P04, 206 Rev P04, 207 Rev P01, 224 Rev P03, 225 Rev P03, 226 Rev P03, 227 Rev P03, 301 Rev P01, 302 Rev P01, 303 Rev P01 and 304 Rev P01.
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject to conditions and S106 agreement.

CHECKLIST INFORMATION.

- Heads of agreement: - Zero Carbon contribution, Highway works (278 agreement) and Travel Plan.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted – No
- Press notice – Yes
- Site notice – Yes
- Design Review Panel consulted – No
- Number of neighbours consulted – 37

- External consultations – No.
- PTAL score – 1a/1b
- CPZ – VNS (Somerset Road) – VN (Marryat Road)

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1. INTRODUCTION

1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number and nature of objections received against the application and officer recommendation of grant permission subject to conditions and S106 agreement.

2. SITE AND SURROUNDINGS

2.1 The application site comprises the site of The All England Lawn Tennis and Croquet Club (AELTC) on Church Road, Wimbledon. The whole site area is 17.3 ha, however the AELTC site spans across two site areas situated either side of Somerset Road. The main (larger) of the two site areas is located on the eastern side of Somerset Road and the smaller site area is located on the western side of Somerset Road.

2.2 The area located to the east of Somerset Road comprises the main leisure and recreational facility of the AELTC. This part of the site accommodates the existing Millennium Building and is subject of the current application. The Millennium Building, constructed for the year 2000 fronts onto Somerset Road and is located in the western part of the main AELTC site between Gates 13 and 16 and south of the Broadcast Centre. To the north is the AELTC's Broadcast Centre. Planning permission was granted for a new Media Pavilion in August 2020 (Ref: 20/P0420) which will link in to the Millennium Building.

2.3 The Millennium building has direct internal links to the Broadcast Centre to the north, in addition to direct underground internal links to Centre Court below St Mary's Walk. The approved Media Pavilion will link into the Millennium Building with two new connecting bridges at level 4 and an external stair from level 3. The Millennium Building also has external pedestrian bridge links to Centre Court at level 2, 3 and 4. An underground servicing network (the 'buggy route') exists below ground level and runs through the basement of the Millennium Building, connecting the North East to the wider route.

2.4 The Millennium Building can be accessed directly from Somerset Road via Gates 14 and 15, with a player and VVIP Drop Off area running adjacent to the main entrance area. The building is predominately used for competitor facilities during The Championships, including an accreditation reception, gym, physio, medical rooms, café, and lounge

and dining facilities for both competitors and members. The building also currently hosts media facilities during The Championships including working rooms, dining and interview spaces and back of house facilities.

2.5 The area located to the west of Somerset Road is currently being redeveloped, known as the covered courts site. All buildings have been demolished and building are been implemented in accordance with planning approval 16/P4651. This permission granted full planning permission for demolition of the former 5 x covered tennis courts and erection of a new building comprising of 6 x indoor courts and associated facilities, 6 x outdoor tennis courts, single storey basement for parking, 9 external covered car parking spaces, relocation of chiller plant (which services centre court roof) and associated soft/hard landscaping.

2.6 The application site is designated as Open Space under the Council's Policies Map. The area to the north, is designated as Metropolitan Open Land (MOL). The site is not within a Conservation Area.

2.7 Merton's Draft New Local Plan is in an advanced stage with Stage 2 consultation being undertaken in late 2018 / early 2019. The Draft New Local Plan proposes to remove the MOL designation from the AELTC site, and a new site allocation is proposed (Site Wi3) which recognises the importance of The Championships to Wimbledon and supports the continued upgrade improvement of the AELTC's facilities.

3. CURRENT PROPOSAL

3.1 Reconfiguration/alteration/extension of the existing millennium building including new/altered plant, new atrium, link to existing Somerset Road tunnel, provision of a roof level extension and associated new landscaping.

3.2 The proposal has a number elements which can be summarised as follows:

- Improvements to the external façade design to enhance the character of the site and reinforce the established 'English garden' feel of the AELTC site;
- Consolidation of the building's plant solution and an upgrade to a number of building systems. The quantity of plant in the building will be reduced by linking into the Somerset Road development;
- The provision of a roof level extension to the building at level 5 to accommodate enhanced competitor facilities;

- Integration of the Millennium Building with the Somerset Road development by creating an entrance point to the existing tunnel for Competitors and VIPs. This will allow the relocation of the existing competitors entry point and accreditation facilities into the Somerset Road building and lead to a reduction in vehicular movements at the Millennium Building;
- Better linkages between the proposed building and the approved Media Pavilion to resolve existing privacy and security issues;
- General upgrading and modernisation of the existing Millennium Building to improve facilities for Competitors, Media and Members.

3.3 The proposal seeks the creation of one additional storey, with the existing roof removed and replaced with an upper floor level and a new curved roof over. The overall height of the curved roof ridge will increase from 41.845m AOD to 46.118m 7.3.7 AOD (an increase of approximately 4.3m), whilst the height of the eaves to Somerset Road will increase from 38.917m to 41.558m (an increase of approximately 2.7m).

3.4 A number of minor extensions are proposed to the footprint of the building to provide enhanced layouts and improved floor areas for the key user groups. The overall internal GIA of the Millennium Building will increase from 10,599 sqm to 13,725 sqm (an increase of 3,166 sqm).

3.5 The Millennium Buildings external fabric of the building will be largely replaced. The new roof will be constructed from prefabricated glue laminated timber (glulam) arranged in a diagrid structure. The roof structure has been designed to integrate with the existing character of the Millennium Building. The existing curtain walling will be replaced with aluminium curtain walling and windows will be replaced with thinner, better performing glass to reduce energy loss. Further internal material amendments, such as insulated rendered walls, have been incorporated into the building to improve the overall environmental performance.

3.6 The distinctive ground to eaves height climbing Boston ivy will be retained on the western façade and introduced to the new sections of the northern and southern elevations.

4. PLANNING HISTORY

4.1 18/P0971 - Extension and alterations to ground floor of the millennium building – Grant - 11/05/2018

4.2 16/P2302 – Elevation alterations at level 3 on North West section of centre court building and removal of enclosures on the existing bridge link – Grant - 12/08/2016

4.3 13/P1812 - Application for discharge of conditions 3, 6, 9 and 10 attached to LBM planning application 11/P2864 dated 10/01/2012 relating to the pedestrian tunnel between car park 3 and the millennium building, erection of a new single storey front extension with canopy to the millennium building and associated works connecting the tunnel with the player entrance at ground level – Grant - 06/11/2013

4.4 13/P1352 - Application for discharge of condition 5 attached to LBM planning permission 11/P2864 relating to the formation of a pedestrian tunnel between car park 3 and the millennium building, erection of a new single storey front extension with canopy to the millennium building and associated works connecting the tunnel with the player entrance at ground level – grant - 22/07/2013

4.5 12/P0729 - Erection of external canopy at main entrance to players' facility at the millennium building, facing Somerset Road – Grant - 06/06/2012

4.6 11/P2864 - Pedestrian tunnel between car park 3 and the millennium building, erection of a new single storey front extension with canopy to the millennium building and associated works connecting the tunnel with the player entrance at ground level – Grant - 10/01/2012

4.7 10/P2300 - Alterations and extensions to east and west elevations of millennium building to refurbish and improve facilities including provision of new internal staircase, alterations and two storey extension on eastern side of building above part of competitors garden to form improved lounge and larger reception area, construction of a covered outdoor plant space to service the new extension and relocation of the press writing room into an extension along the western facade above competitors drop off point, involving removal and replacement of two trees – Grant - 21/10/2010

Other relevant planning history within AELTC grounds

4.8 20/P0420 - Erection of a two storey media pavilion, replacement of temporary cabins with a dedicated technical services room (tsr), and reconfiguration of gate 20 including the relocation and widening of existing access/egress, relocation of existing gatehouse building, new accreditation hut and gatehouse building, landscaping and associated works – Grant - 11/08/2020

4.9 18/P2667 - Non-material amendments to LBM planning permission 16/P4651 (6 indoor and 6 outdoor tennis courts and associated facilities). Changes relate to internal alterations, omission/new/relocated doors, windows & stairs, relocated/new flues, amended lifts & lift over-run and changes to louvres & timber cladding – Grant - 25/07/2018

4.10 16/P4651 – Demolition of existing 5 x covered tennis courts and erection of a new building comprising of 6 x indoor courts and associated facilities, 6 x outdoor tennis courts, single storey basement for parking (up to 338 vehicle spaces and 60 cycle spaces), 9 external covered car parking spaces, relocation of chiller plant (which services centre court roof) and associated equipment, associated landscaping, hardstanding, access roads, boundary enclosures and amended access arrangements – Grant subject to conditions and S106 agreement – 29/05/2018.

4.11 11/P2865 – Erection of a new covered court facility over three levels containing six new indoor tennis courts to replace the existing building containing 5 indoor courts to be demolished, formation of new access to Somerset road, car parking facilities at ground floor / undercroft levels, replacement bar/lounge/changing facilities and new tree planting and landscaping – Grant by planning applications committee – 18/02/2014

4.12 11/P2864 – Pedestrian tunnel between car park 3 and the millennium building, erection of a new single storey front extension with canopy to the millennium building and associated works connecting the tunnel with the player entrance at ground level – Grant – 10/01/2012

5. CONSULTATION

5.1 The application has been advertised by major press notice procedure and letters of notification to the occupiers of neighbouring properties.

5.2 6 letters of objection and 2 letters of comment have been received from neighbouring residential properties.

5.2.1 The 6 letters of objection (including one from the Newstead Way & Somerset Road Residents' Association (NWSRRA) raise the following concerns:

- Loss of light.
- Residents have a right to continue to experience their current levels of daylight and sunlight.

- Residents potentially affected should have the opportunity and time to commission their own light study to be done by a specialist consultancy.
- Overlooking.
- Light pollution from lights in the building as lights are never turned off (in response to a complaint the club pulled blinds which had no effect).
- Could be just a refurbishment rather than extension of Millennium building.
- Disruption due to continued work on the AELTC site.
- Disruption during works to the Somerset Road tunnel. Request monitoring of movement to houses until all construction work is done. For the most affected houses a party wall agreement of some sort should be required.
- Cumulative effect of the works on the West side of the Club (Somerset Road).
- Request for pre-work time added into the timescales.
- The AELTC's lack of regard to its neighbours during the consultation and planning process. The consultation was thrust upon us virtually, with a very short period to comment. Received presentation booklet after the comment deadline and December submission deadline of Christmas Eve speaks for itself.
- Overdevelopment of AELTC site (loss of green space)
- Air and noise pollution.
- Considerably enlarged structure and because of its design, height, bulk and massing will have an unacceptable negative impact on the Somerset Road street scene.
- Request for suitable Construction traffic management plan. Para 4 of the draft construction management plan should be conformed to minimise disturbance to residents.

The 2 letters of comment raise the following points:

- Must be a condition that all access to the development site is via the Church Road entrance and through the AELTC site. Not from Somerset Road at all. This will reduce the dirt and disruption for residents that we have suffered with all the previous works including the closure of our road for six months. The mud and dirt from contractor's vehicles can then be dropped within the AELTC grounds.
- Request to cut back Cedar tree in Newstead Way as its causing light issues.

5.3 Councils Transport Planner

Observations:

Development Proposals

The proposals for the Millennium Building Project include the refurbishment and enhancement of an existing building on the western edge of the All England Lawn Tennis Club's Championships site in Wimbledon.

On highway perspective the proposals include to make small changes to the vehicular accesses (Gates) adjacent to the Millennium Building on Somerset Road.

- Gate 15

Is proposed to be widened from approximately 4.2m to 8.0m.

- Gate 13

The vehicular gate is proposed to be widened from approximately 6.5m to 8.6m. However, the existing footway crossover is larger than necessary and consequently the proposals include reducing the footway crossover which currently is approximately 11.2m.

The carriageway adjacent to Gate 15 and 13 is provided with double yellow line on-street parking / waiting restrictions and therefore the proposed changes will not have an impact on existing non-street parking bays.

As the proposed scheme will facilitate connection to the Somerset Road tunnel, the vehicular use of the area adjacent to the Millennium Building will change. Outside of The Championships, the front of house access road and drop off point in front of the Millennium Building will have occasional use by pedestrians and vehicles relating to servicing and maintenance as well as emergency vehicles. During The Championships, vehicular access is predominantly limited to occasional drop off for VIPs and emergency vehicles, as the new pedestrian tunnel from the Somerset Road covered courts project will provide the entry point for competitors.

Other than occasional access via Gates 16, 15, 14 and 13, most access to the Millennium Building will be by foot either via the tunnel link under Somerset Road directly in to the Millennium Building, or from other areas of the AELTC site.

Vehicle Parking

Whilst there is provision for the Media within the Millennium Building, parking for Media vehicles and associated equipment requirements relative to the broadcasting functions of the Media are provided for via the Media Development Project which obtained planning permission in May 2020 (Ref: 20/P0420).

Following the completion of the Somerset Road redevelopment (Ref: 16/P4651), some vehicle-based activity (including AELTC Members and Staff) will be diverted to the Somerset Road underground car park which will result in these vehicles no longer using Gate 16.

Cycle Parking

The Somerset Road site when finalised will include 60 cycle parking spaces for staff and visitors that are located within the basement level car park. In addition, cycle parking is available on the main site under the Museum Building and Centre Court.

Travel plan

The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

Informative: It is Council's policy for the Council's contractor to construct new vehicular access. The applicant should contact Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this works to be done.

Highways must be contacted prior to any works commencing on site to agree relevant licences, and access arrangements – no vehicles are allowed to cross the public highway without agreement from the highways section.

Recommendation: The proposal is unlikely to have a significant impact on the surrounding highway network. Raise no objection subject to:

- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.
- Travel Plan (A sum of £2000) is sought to meet the costs of monitoring the travel plan over five years.
- To enter into Sec. 278 agreement for all necessary highway works. All costs including legal costs payable by the applicant.

5.4 Environmental Health Officer – No objection subject to conditions

5.5 Councils Flood Risk Officer

The applicant has appropriately updated and revised the drainage strategy and have included SuDS and attenuation to address climate change allowances. I am now able to recommend the following conditions and to seek implementation of the SuDS and Drainage strategy (Ref: 51335- AKT-2650-ZZ-RP-C-00001).

Below ground attenuation and a flow control device will be provided on one particular catchment, to enable the overall discharge rate for the site to be maintained at the present day base case, even accounting for a future 40% increase in rainfall intensity as a result of climate change. The flow control and attenuation tank will be constructed to intercept an existing below ground 400mm diameter surface water drain that collects the flows from the eastern portion of the Millennium Building in a 300mm pipe at high level 24, before dropping below ground at the St Mary's staircase. The flow control structure will accommodate a weir wall to allow free discharge once the water level rises above the top of the attenuation tank.

The calculation for ensuring that future flows with climate change stay at the present baseline is presented in the Drainage Strategy in Figure 1.3 below. It has been estimated that a volume of 80m3 would be required on the attenuated catchment to achieve this, to be confirmed by detailed design.

SuDS interventions are proposed through a small section of blue roof, and the construction of an attenuation tank and flow control on an existing surface water drain.

No objection subject to condition

5.6 Councils Climate Officer – No objection subject to conditions & S106 Agreement

5.7 Councils Tree Officer – No objection subject to conditions

5.8 Thames Water

Waste Comments

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Where the

developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission:

> "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act
> 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater
> discharges section".

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to

avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends the following informative be attached to this planning permission.

> "Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development".

5.9 Metropolitan Police – No objection subject to condition

6. POLICY CONTEXT

6.1 The relevant policies within Merton's Sites and Policies Plan (2014) are:

DM R5 Food and drink / leisure and entertainment uses
DM R6 Culture, arts and tourism development
DM C1 Community facilities
DM E4 Local employment opportunities
DM O1 Open space
DM O2 Nature conservation, trees, hedges and landscape features
DM D1 Urban design and the public realm
DM D2 Design considerations in all development
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM F1 Support for flood risk management
DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impact of development
DM T3 Car parking and servicing standards
DM T5 Access to the Road Network

6.2 The relevant policies within the Merton Core Planning Strategy (July 2011) are:

CS 11 Infrastructure,
CS 12 Economic Development

CS 13 Open Space, Nature Conservation, Leisure and Culture
CS 14 Design,
CS 15 Climate change,
CS 16 Flood Risk Management
CS 18 Active transport
CS 19 Transport
CS 20 Parking, Servicing & Delivery

6.3 The relevant policies within the London Plan (2021) are:

SD10 Strategic and local regeneration
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D8 Public realm
D10 Basement development
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
S4 Play and informal recreation
S5 Sports and recreation facilities
E1 Offices
E2 Providing suitable business space
E3 Affordable workspace
E10 Visitor infrastructure
HC1 Heritage conservation and growth
HC3 Strategic and Local Views
HC4 London View Management Framework
HC5 Supporting London's culture and creative industries
HC6 Supporting the night-time economy
G1 Green infrastructure
G3 Metropolitan Open Land
G4 Open space
G5 Urban greening
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 12 Flood risk management
SI 13 Sustainable drainage
T1 Strategic approach to transport

T2 Healthy Streets
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.4 Hotel and leisure uses parking
T6.5 Non-residential disabled persons parking
T7 Deliveries, servicing and construction
T9 Funding transport infrastructure through planning

6.4 Other

- National Planning Policy Framework 2019
- National Planning Practice Guidance 2014
- Planning and Compulsory Purchase Act – 2004
- Draft Local Plan 2020

7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case are: the principle of development, visual impact/design, impact on neighbouring amenity, highways, open space, landscaping, ecology, climate change and flooding and drainage.

7.2 Principle of Development

7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

7.2.2 Planning Policy HC5 (Supporting London's culture and creative industries) of the newly adopted London Plan states that the continued growth and evolution of London's diverse cultural facilities and creative industries is supported. It highlights that London is internationally-renowned for its historic environment and cultural institutions, which are major visitor attractions as well as making an enormous contribution to the capital's culture and heritage. There are many areas in London which are rich in cultural heritage and have a unique cultural offer. These act as key visitor hubs for Londoners and domestic and international tourists and as such should be protected and promoted. The AELTC provides the Borough with significant visitor numbers during the annual Wimbledon tennis championship as well tours and visits to the onsite museum outside the Championships. The continued

evolution of the site to maintain its national and international status is therefore fully supported by the Council.

7.2.3 Planning Policy DM R6 (Culture, arts and tourism development) of Merton's Sites and Policies Plan aims to protect and provide additional arts, culture and tourism uses in the borough. These uses will also create economic and social benefits for the borough by attracting tourist and business visitors to Merton. The policy encourages improvements or expansions to existing cultural, arts and tourism in Merton.

7.2.4 Merton's Draft Local Plan 2020 identifies the AELTC main site with a new site allocation (Site Wi3) which recognises the site as a world class sporting venue of national and international significance and supports the continued upgrade and improvement of the AELTC's facilities within the borough.

7.2.5 The proposal seeks to improve the facilities and function of a nationally important sporting event both during and outside the Wimbledon fortnight Championship. The proposed works form part of the AELTC wider aspirations for the site (see below) which will help the AELTC maintain its position as the finest stage in world tennis. The principle of the development is considered to be in line with the wider Wimbledon Master Plan and would help maintain economic and social benefits the Wimbledon Championships brings to Merton and London. The proposals are welcomed and supported in principle.

Wimbledon Master Plan

7.2.6 In order to maintain Wimbledon's leadership position as the finest stage in world tennis, it is acknowledged that the AELTC needs to work hard to further improve the facilities and that standing still is not an option. In 2011, The Club commissioned Grimshaw to develop a Master Plan to guide the further long term development of The Club and its facilities. The 'Wimbledon Master Plan' sets out the vision for the future of the grounds and is a framework against which new development will be assessed and refined. Whilst the Wimbledon Master Plan is not an adopted plan of the Council, it sets out the club's direction of development over a 20-year period.

7.2.7 The proposal is a critical part of the Master Plan in allowing for the enhancement and upgrade of the wider AELTC grounds. This will improve the offering to competitors, media and members and allow the site to compete with other tournaments, as well as improve the appearance of a major building on site. The proposals will allow the existing building to interlink with the surrounding Somerset Road,

improve the internal and external spaces of the building and improve the usability of the building for a number of key stakeholder groups. The proposal would form part of the wider project of implementing the Wimbledon Master Plan and is therefore supported in principle.

7.3 **Design**

7.3.1 The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

7.3.2 Planning policy DM D2 (Design considerations in all development) of Merton's Site and Polices Plan 2014 requires all development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, heights, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

7.3.3 The proposal is considered to be a high quality design with many of the existing AELTC features being introduced into the redesign of the building including green render and climbing ivy. At street level, the existing 2.1m high Hornbeam hedge would partly screen the building. Whilst the building would be increased in size, the increase in height and massing is not considered to be excessive. The proposed building would respond satisfactorily with the existing pattern of development within this international sporting facility. The distinctive curved roof form would be retained within the design, which is a key part of the buildings design and appearance. Due to the high quality design and appearance of the front elevation, the proposal would continue to respect the Somerset Road street scene.

7.4 **Impact on neighbouring amenity**

7.4.1 Core Planning Strategy policy 14 and SPP policy DM D2 seek to ensure new developments do not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.

Sun and Daylight Report

7.4.2 The applicant has commissioned an independent sun and daylight report by eb7. The report concludes that neighbouring properties will see no noticeable reduction in the amount of daylight received within each of the neighbouring windows / rooms, with the results showing levels in excess of the BRE criteria. The assessment of sunlight to neighbouring windows has also shown full compliance with the BRE criteria.

7.4.3 Some of the objections received state they have a right to continue to experience their current levels of daylight and sunlight. It has to be noted that the context of the site and its surroundings is urban in form and therefore the vast majority of development, whether it be small or large will impact on light levels in some ways or another. It would not be practical in planning terms to only grant planning permission if a development results in no loss of light. The applicant has provided a sun and day light report with the application. The report using BRE guidance to assess the development, this is an industry recognised tool used to help evaluate light considerations from development on residential properties. BRE sets targets (including other factors to be considered) whereby loss of light can be considered unnoticeable and reasonable. The applicants sun and day light report demonstrates that the development would be within the BRE guidance and therefore officers are content that there development would not result in adverse loss of neighbouring amenity to warrant refusal of planning permission.

Light Pollution

7.4.4 Some of the objection received relate to light pollution from the proposed building based on lights being left on in the existing building. The applicant has stated that internal lighting system will have proximity sensors and timers to ensure lights do not stay on unnecessarily. Light scenes will be used to provide internal illumination in front of house and public areas whilst the building is in operation. Further, there will be some minimum lighting requirements for emergency lighting. After hours, a central lighting control system will ensure that all the lights are switched off overnight except for the low level of security lighting which remains on inside the building

7.4.5 The applicant has provide an external lighting assessment. It stated that "…for the external lighting there will be daylight sensors to ensure no lighting is on when there is enough daylight. The different areas will be zoned…; each zone will have timeclock control to bring lights on and off in line with curfews. Areas for staff use only will also

have presence detection to only bring the lights on when required. The system will also allow for central manual switching of lights".

7.4.6 Whilst there would naturally be some light pollution from lights being on during low light level hours, the proposed building is set away from neighbours and the Somerset Road elevation does not have excessive levels of glazing or excessive external lighting that would cause adverse harm to surrounding neighbouring properties. The applicant has also stated that internal lighting would have proximity sensors and timers so they do not say on unnecessarily.

Newstead Way

7.4.7 Neighbouring properties to the west of the site in Newstead Way are orientated at an oblique angle to the application site and the proposed Millennium building. Therefore outlook from these neighbouring houses would remain largely unaffected by the proposed increase in height and mass of the Millennium building. Some of the houses closest to the application site at the eastern end of Newstead Way would be partly orientated toward the Millennium building. However the design of the proposed building would be high quality, existing landscaping would help screen views, there is a good level of separation between the neighbouring houses and the proposed building and the public highways (Newstead Way and Somerset Road) form a physical barrier between the neighbours and the application site. The combination of the above would ensure that there would be no undue loss of amenity.

7.5 **Highways**

7.5.1 Planning Policy T1 (Strategic approach to transport) of the newly adopted London Plan states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated

7.5.2 At a local level Policy CS.19 of the Core Planning Strategy states that the Council will ensure that all major development demonstrates the public transport impact through transport assessments. Travel plans will also be required to accompany all major developments.

7.5.3 Core Planning Strategy policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management

Travel Plan

7.5.4 The applicant has submitted a Travel Plan with the application which has been designed to enable employees and visitors to the Millennium Building, outside of The Championships, make informed decisions about their travel to the site. The document links to other Travel Plans in operation across the estate and in combination the Travel Plan's aim will be to minimise vehicle movements to and from the site. This is achieved by setting out a strategy for eliminating barriers which keep employees and visitors from making use of sustainable and in particular active modes.

7.5.5 The Travel Plan's overriding objective is to engage with and encourage employees and visitors to use more sustainable ways of travelling to / from the site through more effective promotion of active modes. This will minimise the impact of the site on the surrounding highway and public transport network.

7.5.6 The key action targets are set out below:

- A Travel Plan Coordinator will be appointed at least one month prior to the buildings becoming operational.
- To launch this travel plan when the building opens.
- Each monitoring survey will occur within one month of the anniversary of the baseline survey in each survey year (i.e. Years 1, 3 and 5).

7.5.7 The aim targets of the Travel Plan are focused predominately on the employees based in the buildings outside of The Championships. The targets are set to measure progress towards the main objectives over five years. These targets are to be achieved within five years of the launch of the Travel Plan. The Councils Transport Planner has requested that the Travel Plan is secured via S106 agreement to ensure sustainable modes of travel are given the best chance of success.

Construction Management Plan

7.5.7 Planning policy T9 (Deliveries, servicing and construction) of the newly adopted London Plan states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with

Transport for London guidance and in a way which reflects the scale and complexities of developments.

7.5.8 The application has submitted a draft Construction Management Plan which set out the intention for construction logistics, giving initial plans for construction traffic management, both off and on the estate, and the aspirations to use modern construction methods to minimise disturbance to the surrounding area. Due to the nature of the building and the proposals, the Millennium Building will be treated as a programme of works, with the overall scope being broken down into smaller projects, as opposed to one multi year contract.

7.5.8 Neighbours have expressed concerns with impact during the construction process and impact on the highway and neighbouring properties. The draft draft Construction Management Plan includes some details on Delivery Procedure and Traffic Management. These are set out below:

Delivery Procedure

The Contractor will be encouraged to use a 'just in time' delivery system. Any vehicles needing to be 'held' will wait in the tunnel to ensure vehicles are not waiting on the highway. It is the intention that all deliveries will be made using the tunnel.

Traffic Management

All site deliveries and vehicles will arrive at site using Gate 1 off Church Road, vehicles will then be directed to site via the tunnel for off loading adjacent Gate 15/16. The intention is for the majority of vehicles to exit the estate via Gate 14, further down Somerset Road away from residents. There may be an occasional need for larger vehicles to leave via Gate 16, the Contractor will be instructed to use Gate 14 as much as possible. It is not anticipated that a Contractor will have any requirement for abnormal loads. Should this change the logistics will be reviewed with LB Merton in the first instance.

7.5.9 The Councils Transport Planner has confirmed no objection subject to conditions. A planning condition requiring full details of Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) will need to be submitted to LPA for approval before commencement of work to ensure minimal impact on the highway network and neighbouring amenity.

Cycle Parking

7.5.10 The application provides no new cycle facilities within the scope of this application. However, The Somerset Road site when finalised will include 60 cycle parking spaces for staff and visitors that are located within the basement level car park. In addition, cycle parking is available on the main site under the Museum Building and Centre Court. As part of the Travel Plan, the cycle parking across the site will be actively monitored and if demand warrants (i.e. if over 90% of the stands are full at any time) additional cycle parking stands will be continuously provided. During The Championships, cycle parking is currently provided for visitors within Car Park 8 (public) and within Car Park 4 for accredited staff.

Vehicle Parking

7.5.11 The application provides no new vehicle parking facilities within the scope of this application. Whilst there is provision for the Media within the Millennium Building, parking for Media vehicles and associated equipment requirements relative to the broadcasting functions of the Media are provided for via the Media Development Project which obtained planning permission in May 2020 (Ref: 20/P0420). Following the completion of the Somerset Road redevelopment (Ref: 16/P4651), some vehicle-based activity (including AELTC Members and Staff) will be diverted to the Somerset Road underground car park which will result in these vehicles no longer using Gate 16.

Transport Conclusion

7.5.12 In conclusion, the proposed development seeks to alter the existing building with an additional floor space, however the site overall has sufficient capacity to accommodate visitors and staff travel options within close proximity of the Millennium building. Securing the travel plans aims will also help promote sustainable modes of travel. The Council's Transport Planner has raised no objection to the proposals, subject to conditions and S106 securing the travel plan.

7.6 **Open Space**

7.6.1 Planning policy G4 (Open space) of the newly adopted London Plan states that proposals should not result in the loss of protected open space and where possible create areas of publicly accessible open space, particularly in areas of deficiency.

7.6.2 The application site is identified as open space within the Sites and Policies Plan (2014). Planning policy DM O1 (Open space) of Merton's Sites and Policies Plan (2014) seeks to protect and enhance open

space and to improve access to open space. The justification text for policy DM O1 (open space) states that proposals to redevelop buildings in open space should be of high quality design, and of a scale, height and massing that is appropriate to their setting.

7.6.3 The proposals seek to improve the appearance of the Millennium building with predominately changes to the external appearance of the building, a new roof top extension and some minor extensions. The proposed development is considered to be of high quality design, and of a scale, height and massing that is appropriate to its setting. Whilst some extensions are proposed under this application, these either sit within footprint of the existing building or are so modest in scale that they do not materially alter the open space aspect on this part of the AELTC site.

7.6.4 The northern part of the AELTC is within Metropolitan Open Land (MOL) designation; however the site subject to this application is not within the MOL. Whilst the site is not within MOL, it is important to consider the potential impact on the nearby MOL. The proposed extensions to the existing building have been designed to ensure they are modest in scale and would not have an adverse impact on the nearby MOL.

7.6.5 The proposal is therefore considered to be compliant with Policies 7.17 and 7.18 of the London Plan, and local policies CS13 and DM O1 in that there is no resultant loss of designated Open Space or impact on the adjacent MOL but rather a replacement and improvement on what already exists.

7.7 **Landscaping**

7.7.1 Planning Policy DMO2 (Nature Conservation, Trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest. To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified

7.7.2 The existing trees and hedge to the west of the building will be retained and areas of low level ornamental and decorative planting beds and boxes will be refreshed with new sets of a similar nature. The distinctive ground to eaves height climbing Boston ivy will be retained and introduced to the new sections of the west façade.

7.7.3 The proposal include an extensive landscaping strategy of high quality that will have multiple functions including help reduce the massing of

the buildings from neighbouring properties, enhance visitor experience and complement the design and settings of buildings and spaces. The Councils Tree Officer has confirmed no objection subject to conditions.

7.8 **Ecology**

7.8.1 Planning policy DM D2 (Design considerations in all developments) of Merton's Sites and Policies Plan (2014) states that all proposals will be expected to conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats and gardens.

7.8.2 The applicant has submitted a Preliminary Bat Roost Assessment and Ecological Appraisal which sets out a comprehensive set of recommendations relating to Habitats (Habitat Retention and Protection & Biodiversity Enhancement), Protected / notable species (Roosting Bats, Nesting Birds & Terrestrial Mammals including Hedgehogs) and Invasive plant species.

7.8.3 The Council welcomes the recommendations in the Preliminary Bat Roost Assessment and Ecological Appraisal as this would conserve the natural environment. A planning condition requiring evidence that recommendations set out in the Preliminary Bat Roost Assessment and Ecological Appraisal have been implemented can be secured via planning condition.

7.9 **Climate Change**

7.9.1 Planning Policy SI 2 (Minimising greenhouse gas emissions) of the newly adopted London Plan states major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

1) be lean: use less energy and manage demand during operation

2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly

3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site

4) be seen: monitor, verify and report on energy performance.

7.9.2 Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

7.9.3 A minimum on-site reduction of at least 35 per cent beyond Building Regulations152 is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either:

1) through a cash in lieu contribution to the borough's carbon offset fund, or

2) off-site provided that an alternative proposal is identified and delivery is certain.

7.9.4 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

7.9.5 The applicant has provided a detailed energy strategy that states that the proposals have been designed with an underlying principle of improving the sustainability of this key building and upgrading the dated energy strategy throughout the Millennium Building. The building design incorporates good passive design principles such as natural ventilation and will replace the existing structure with highly sustainable and efficient materials.

7.9.6 The existing plant on site will be removed and replaced with modern, efficient equipment and a number of sustainable features will be incorporated, such as low energy lighting, occupancy detection, daylight dimming and low-flow water fixtures will be installed. Integrated photovoltaic panels will be introduced on the new roof and the renewal of external fabric will contribute to an enhanced energy performance of the overall building.

7.9.7 The Councils Climate Change Officer has been in continued discussion with the applicant during the application process. There are still some changes required to the applicants detailed modelling and therefore the energy statement will need updating to reflect this. This is a technical matter, which the applicant has advised will be completed prior to the planning committee meeting. The Councils Climate Officer has stated that based on discussions with the applicants climate consultant, there shouldn't be any foreseeable issues with the scheme meeting the

required standards. Once the re-modelling is complete, the energy statement will be updated and will be able to confirm the carbon offset contribution required by Planning Policy SI 2 (Minimising greenhouse gas emissions) of the newly adopted London Plan. It is expected that the updated modelling and energy statement will be agreed prior to the committee meeting and can be reported in the modification sheet for member's information.

7.10 **Flooding and Drainage**

7.10.1 Planning policy SI 12 (Flood risk management) of the newly adopted London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Planning Policy SI 13 (Sustainable drainage) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:

1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
2) rainwater infiltration to ground at or close to source
3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
4) rainwater discharge direct to a watercourse (unless not appropriate)
5) controlled rainwater discharge to a surface water sewer or drain
6) controlled rainwater discharge to a combined sewer

7.10.2 Merton's policy CS 16 and SPP polices DMF1, DM F2 and DMD2 all seek to ensure that adequate flood risk reduction measures, mitigation, and emergency planning are in place to ensure there is no increase in flood risk offsite or to the proposed development.

7.10.3 The application site is located within flood zone 1, which is considered to be at low risk of flooding from pluvial sources, groundwater, artificial sources, and sewer surcharge. The applicant has provided an independent Drainage Strategy by AKT II Ltd. The Councils Flood Officer has confirmed no objection subject to condition.

8. Local Financial Considerations

8.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's

Community Infrastructure Levy was implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

9. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

9.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

10. **CONCLUSION**

10.1 In conclusion, it is considered that the principle of development is acceptable with the new proposals contributing towards the continued success of the AELTC. The design, size and height of the proposed Millennium building is considered to be high quality. The residential amenities of adjoining residential properties will be preserved to a satisfactory level given the design, size and siting of the proposed buildings. The proposal has also demonstrated that the development would respect, with no undue adverse impact and would comply with relevant planning policies relating to highways, open space and MOL, ecology, climate change and flood and drainage. Accordingly, it is recommended that planning permission be granted subject to S.106 Agreement and conditions set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Zero carbon offset contribution (figure to be agreed)

2. To enter into Section 278 agreement for all necessary highway works. All costs including legal costs payable by the applicant.

3. Travel Plan

4. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 Commencement of Development

2. A7 Approved plans

3. B.1 External Materials to be approved

4 B4 Details of surface treatment

5 D10 External Lighting

6 D11 Construction Times

7 F01 Landscaping/Planting Scheme

8 F05 Tree Protection

9 F08 Site Supervision (Trees)

10 F09 Hardstandings

11 Due to potential impact on the surrounding locality from the development the recommendations and criteria to protect noise impact on the surrounding noise sensitive properties as specified in the Max Fordham, Noise Impact Assessment Report dated 27th October 2020, shall be implemented and maintained as a minimum standard.

12 A Demolition and Construction Method Statement shall be submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

13. Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) shall be submitted to Local Planning Authority for approval before commencement of work.

14 Ensure that a SBE is appointed to carry out a Blast Mitigation Impact Assessment (BMIA) to provide the following information for the proposal:

- Evaluation of the buildings envelope to the effects of blast
- Provide performance specifications for pre-manufactured systems subject to the identified blast loading (i.e. precast panels, windows, etc.)
- Information to the structural engineer and other design team members on how to incorporate the blast analysis results in to the building design
- A copy of the report to be provided to the CTSA upon completion of the BMIA for verification purposes

15 Preliminary Bat Roost Assessment and Ecological Appraisal

16 Prior to the commencement of development, a detailed surface water drainage and SuDS design which is in accordance with the approved outline drainage strategy (Ref: 51335- AKT-2650-ZZ-RP-C-00001) shall be submitted to, approved and implemented in writing by the local planning authority.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

17 Energy Statement

18 Be Seen

Informative

1 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section".

2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

3. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

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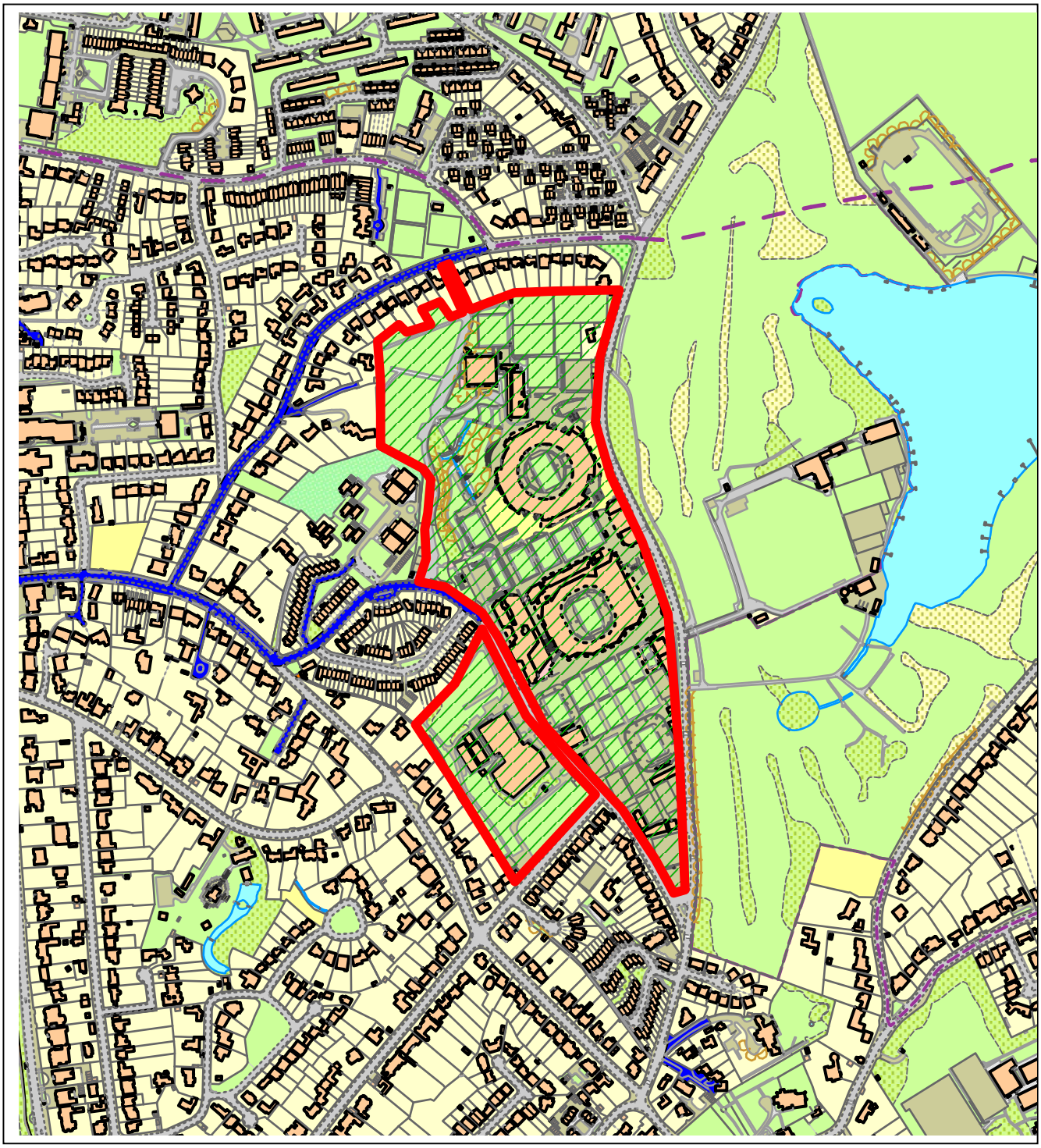

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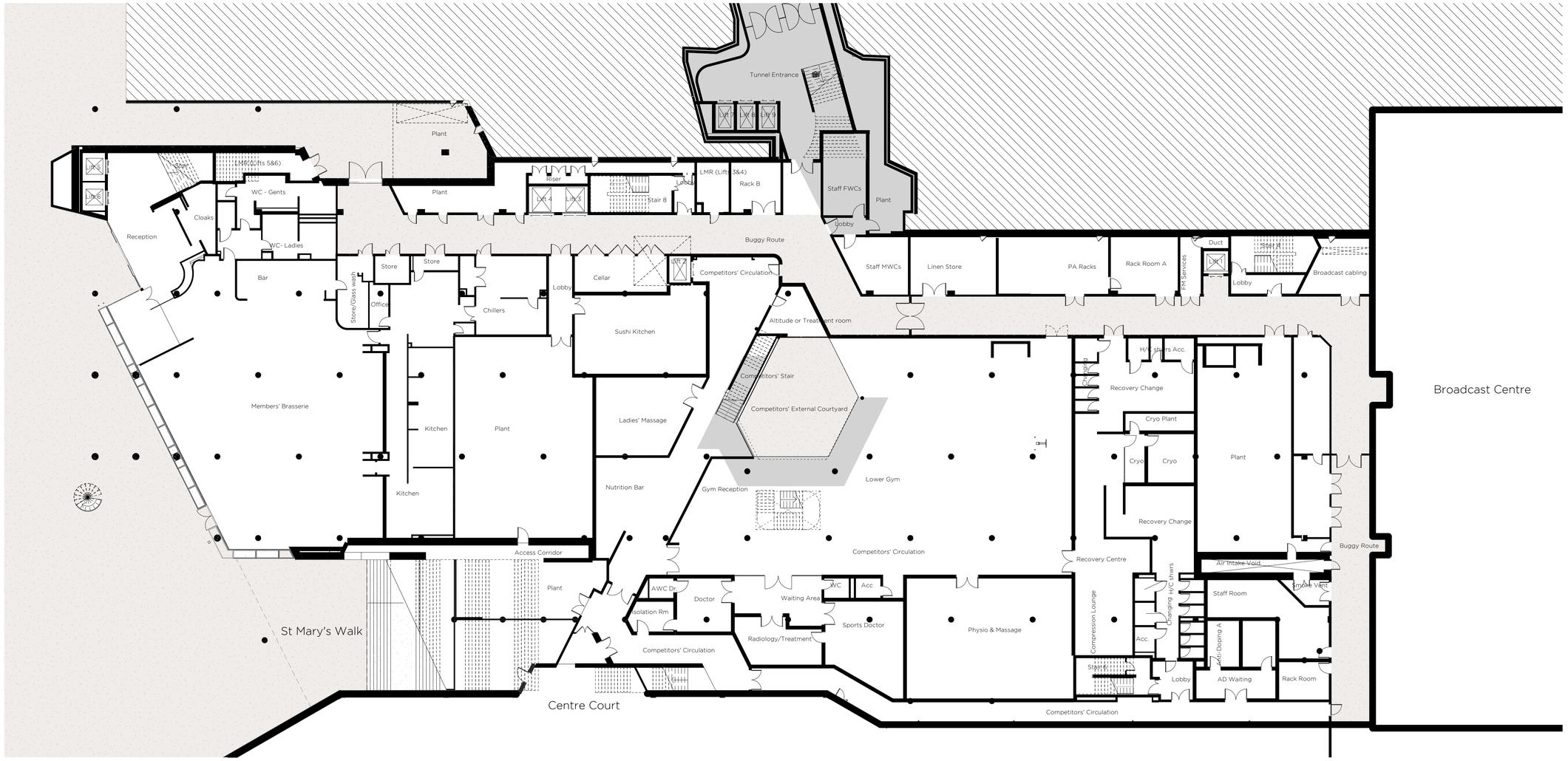

L01(24)

- New Internal Area
- New External Area
- External Areas

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Rev.	Date	Description
P01	20/07/2020	First Issue
P02	04/09/2020	Issued for consultation
P03	28/10/2020	Issued for Planning

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LANGSTAFF DAY ARCHITECTS
address 321 Edinburgh House, 170 Kennington Lane London SE11 5DP
e-mail office@langstaffday.co.uk

project	Millennium Building Project		
for	AELTG		
title	Proposed GA Plan - Level 01(24)		
suitability	S2 - For Information	*scale* 1:200@A1 1:400@A3	*drawing number* 51335-LDA-MB-01-DR-A-PL201 *rev.* P03

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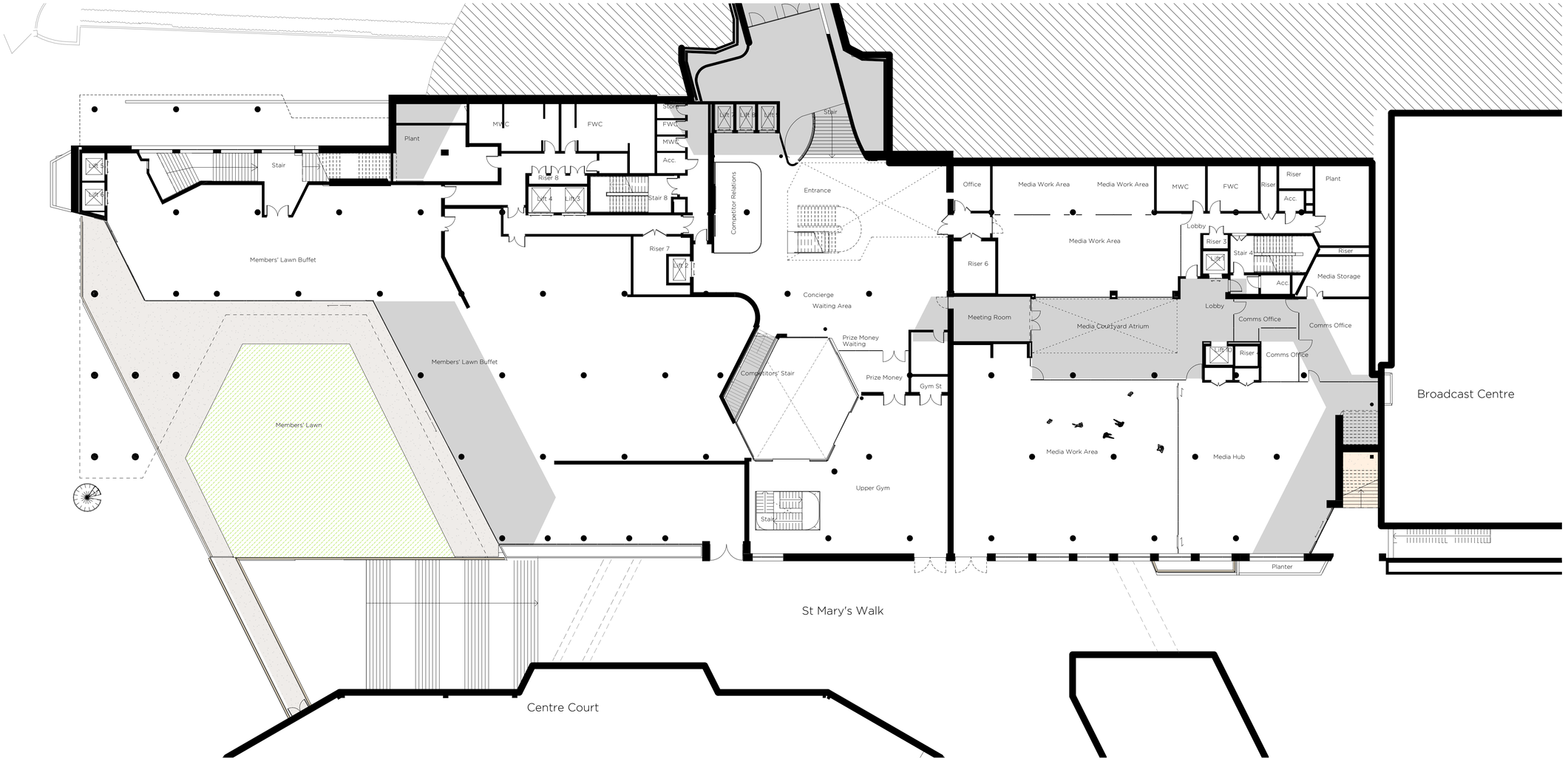

L02(28)

- New Internal Area
- New External Area
- External Areas

Rev.	Date	Description
P01	20/07/2020	First Issue
P02	04/09/2020	Issued for consultation
P03	28/10/2020	Issued for Planning

Notes

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LANGSTAFF DAY ARCHITECTS

address 321 Edinburgh House, 170 Kennington Lane London SE11 5DP

e-mail office@langstaffday.co.uk

project Millennium Building Project

for AELTG

title Proposed GA Plan - Level 02(28)

suitability S2 - For Information

scale 1:200@A1 1:400@A3

drawing number 51335-LDA-MB-02-DR-A-PL202

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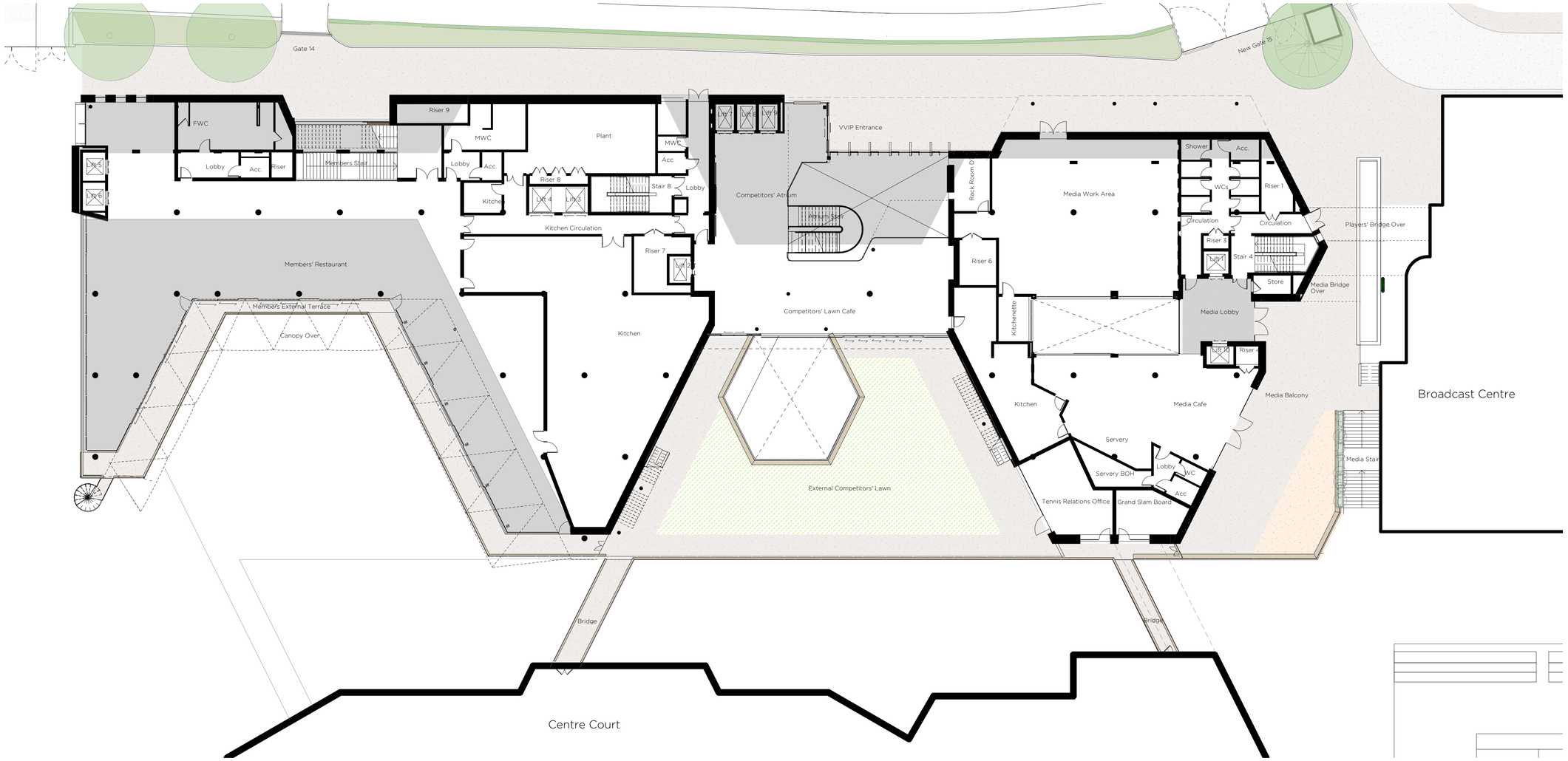

L03(32)

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address 321 Edinburgh House, 170 Kennington Lane London SE11 5DP

e-mail office@langstaffday.co.uk

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title Proposed GA Plan - Level 03(32)

suitability S2 - For Information

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drawing number 51335-LDA-MB-03-DR-A-PL203

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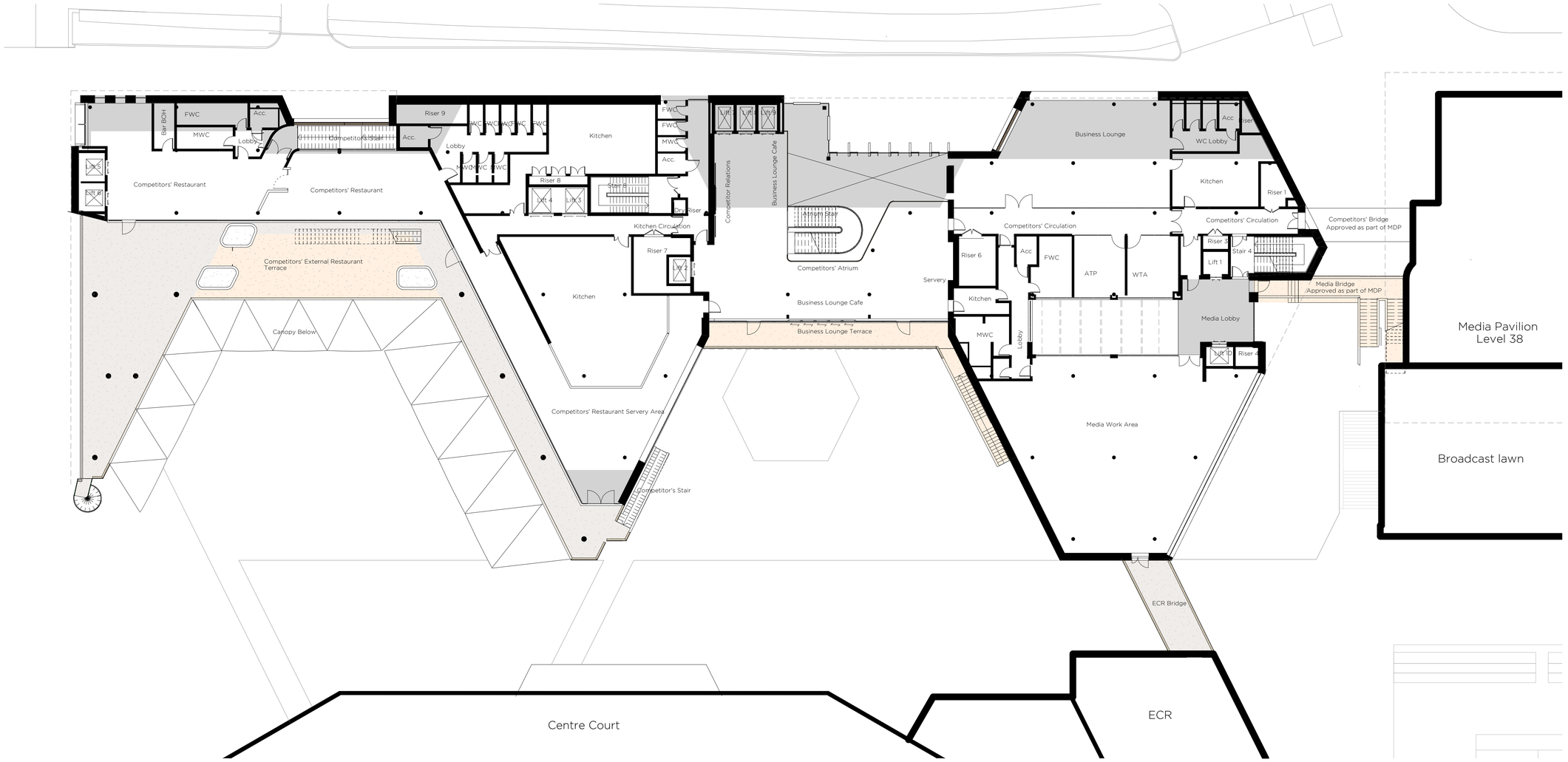

L04(36)

- New Internal Area
- New External Area
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Rev.	Date	Description
P01	20/07/2020	First Issue
P02	04/09/2020	Issued for consultation
P03	28/10/2020	Issued for Planning

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e-mail office@langstaffday.co.uk

project Millennium Building Project
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rev. P03

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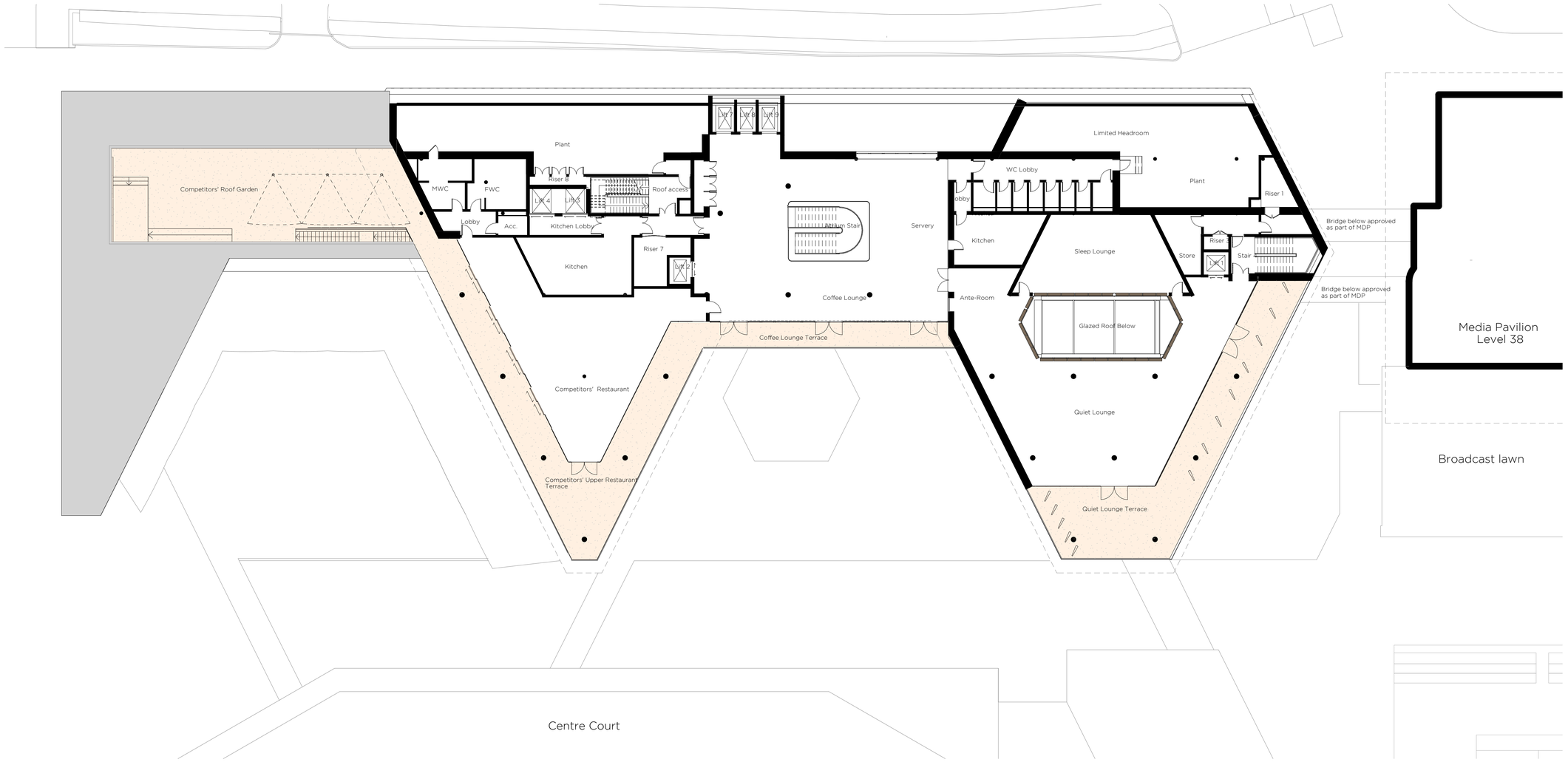

L05(40)

- New Internal Area
- New External Area
- External Areas

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Rev.	Date	Description
P01	20/07/2020	First Issue
P02	04/09/2020	Issued for consultation
P03	16/09/2020	Revised for consultation
P04	28/10/2020	Issued for Planning

Notes

1. To be read in conjunction with all relevant information
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0 10m

LANGSTAFF DAY ARCHITECTS

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e-mail office@langstaffday.co.uk

project Millennium Building Project

for AELTG

title Proposed GA Plan - Level 05(40)

suitability S2 - For Information

scale 1:200@A1, 1:400@A3

drawing number 51335-LDA-MB-05-DR-A-PL205

rev. P04

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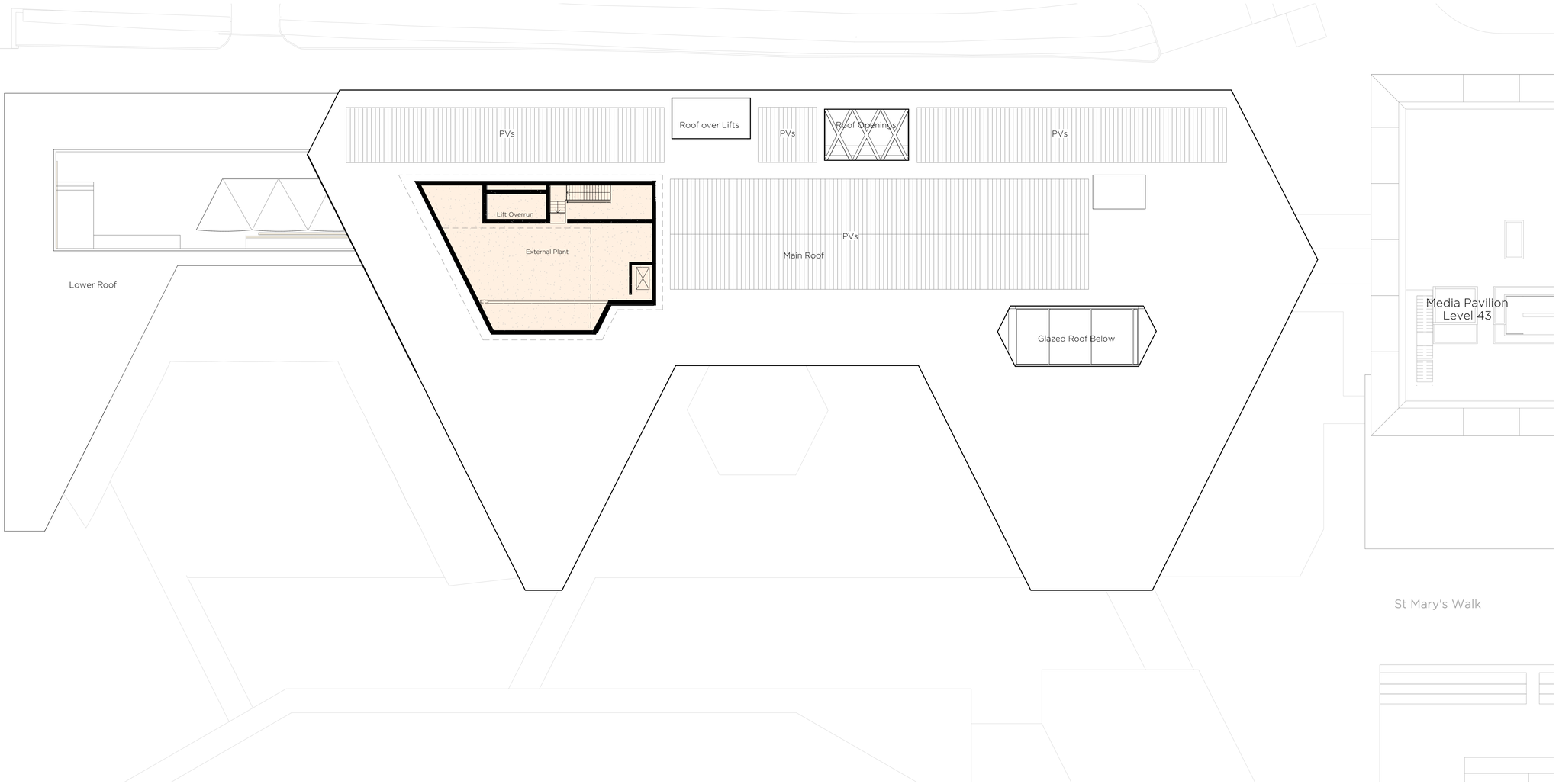

L06(43)

- New Internal Area
- New External Area
- External Areas

Rev.	Date	Description
P01	20/07/2020	First Issue
P02	01/09/2020	Issued for consultation
P03	16/09/2020	Revised for consultation
P04	28/10/2020	Issued for Planning

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project Millennium Building Project
for AELTG
title Proposed GA Plan - Level 06(43)

suitability S2 - For Information
scale 1:200@A1 1:400@A3
drawing number 51335-LDA-MB-06-DR-A-PL206
rev. P04

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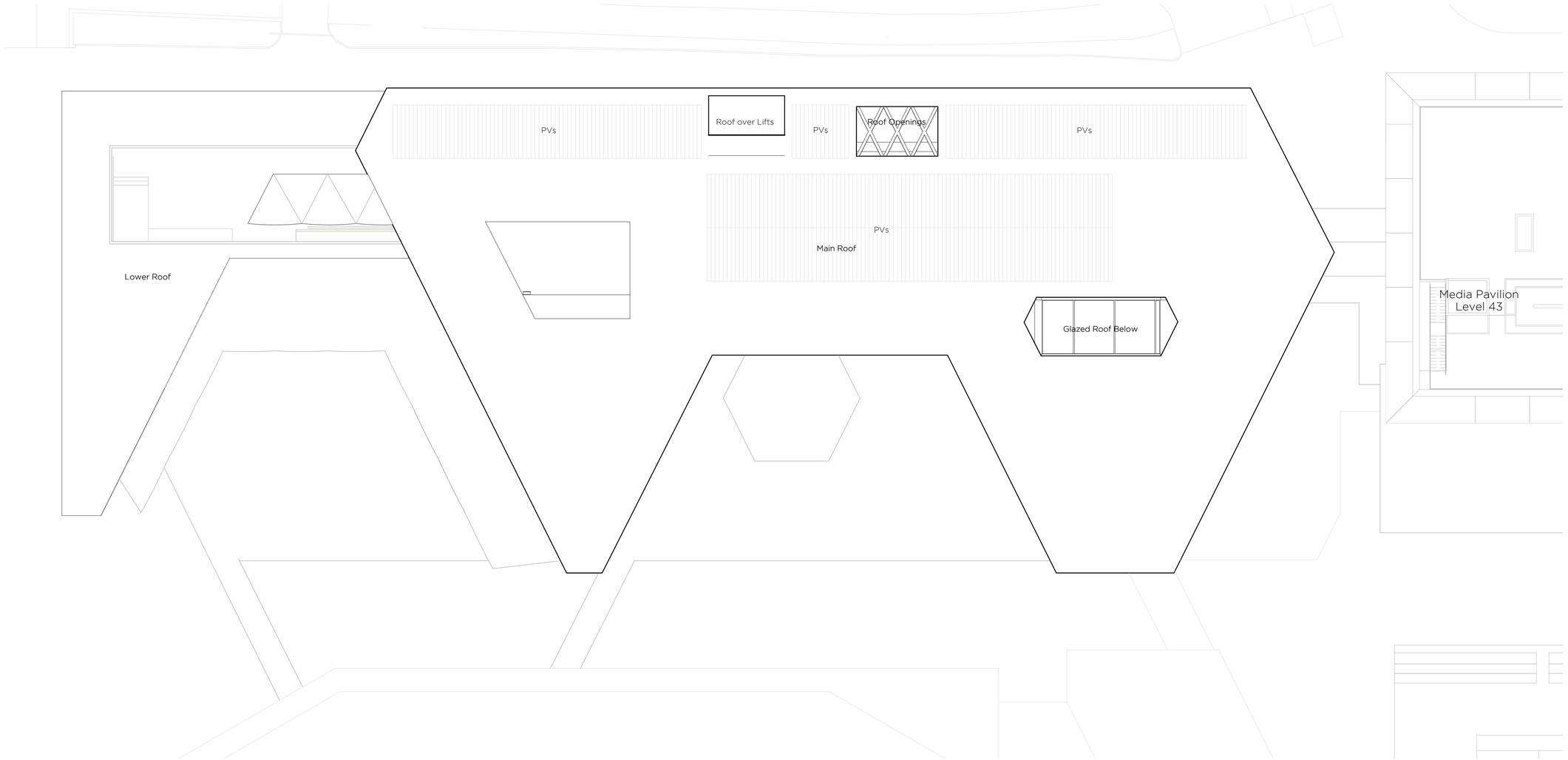

Roof

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Rev.	Date	Description
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project Millennium Building Project
for AELTG
title Proposed GA Roof Plan

suitability S2 - For Information
scale 200@A1
drawing number 51335-LDA-MB-ZZ-DR-A-PL207
rev. P01

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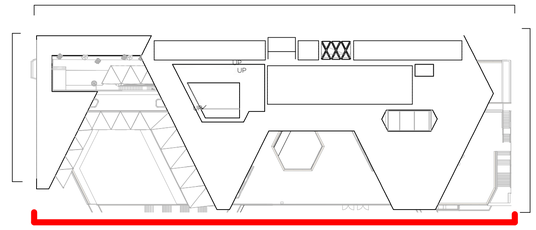
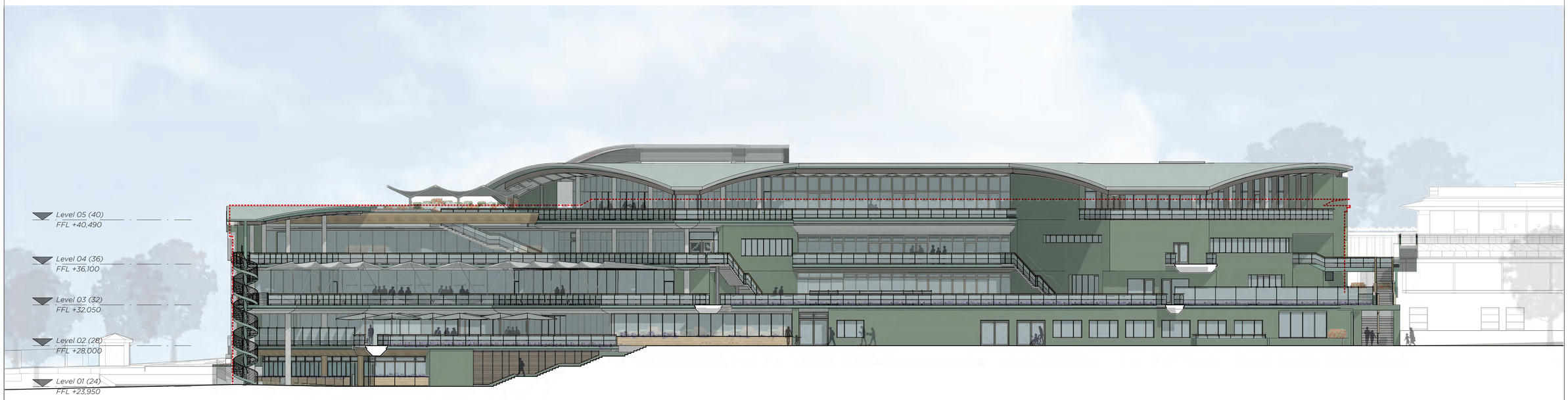


Elevations Key Plan



GATE 13 | MILLENNIUM BUILDING | BROADCAST CENTRE AND MEDIA PAVILION

Rev.	Date	Description
P01	20/07/2020	First Issue
P02	01/09/2020	Issue for consultation
P03	23/10/2020	Issued for Planning

KEY

Existing Building Outline

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Notes

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suitability S2 - For Information

scale 1:200@A1 1:400@A3

project Millennium Building Project

for AELTG

title Proposed GA Elevation - East

drawing number 51335-LDA-MB-ZZ-DR-A-PL225

rev. P03

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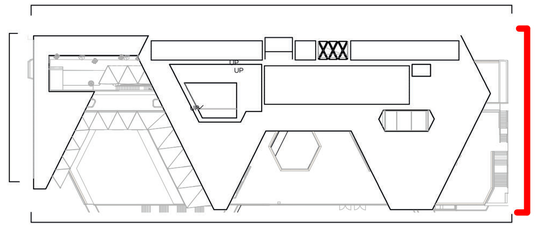
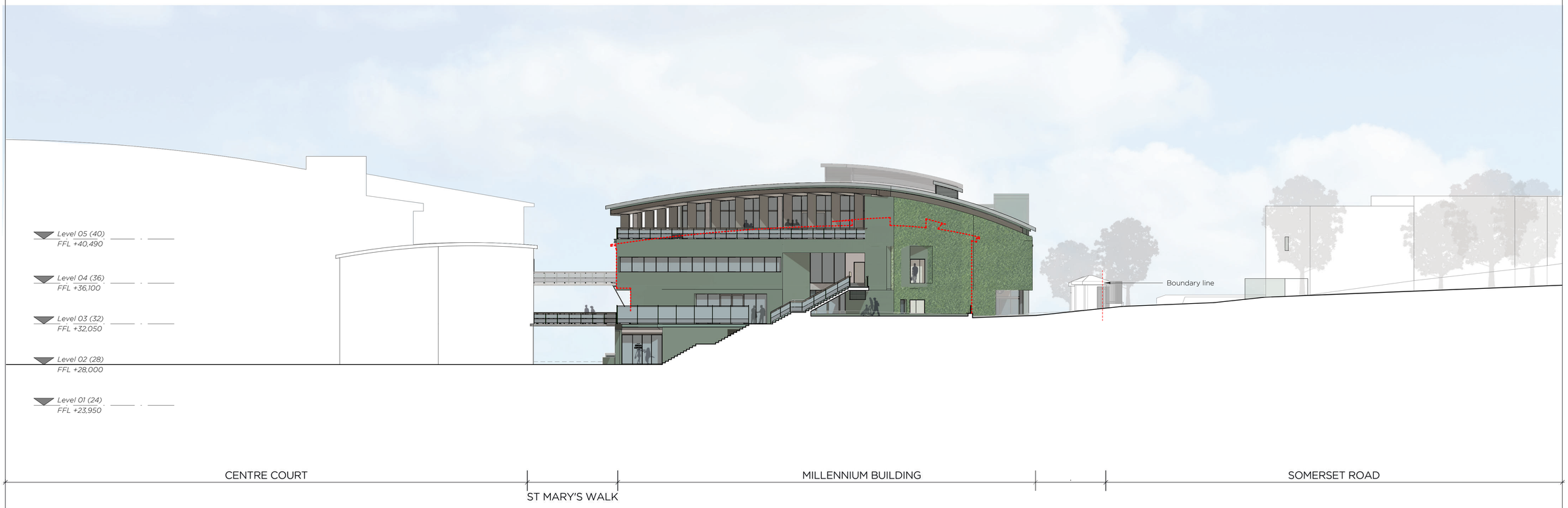


Elevations Key Plan



Rev.	Date	Description
P01	20/07/2020	First Issue
P02	01/09/2020	Issued for consultation
P03	09/10/2020	Draft issue Planning

KEY

Existing Building Outline

0 10m

Notes

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project Millennium Building Project

for AELTG

title Proposed GA Elevation - North

suitability S2 - For Information

scale 1:200@A1 1:400@A3

drawing number 51335-LDA-MB-ZZ-DR-A-PL226

rev. P03

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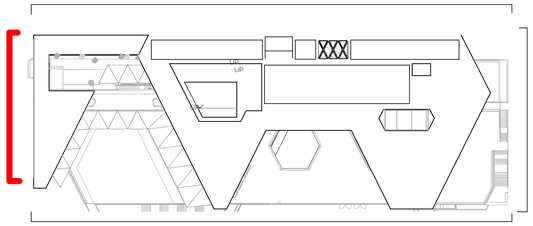
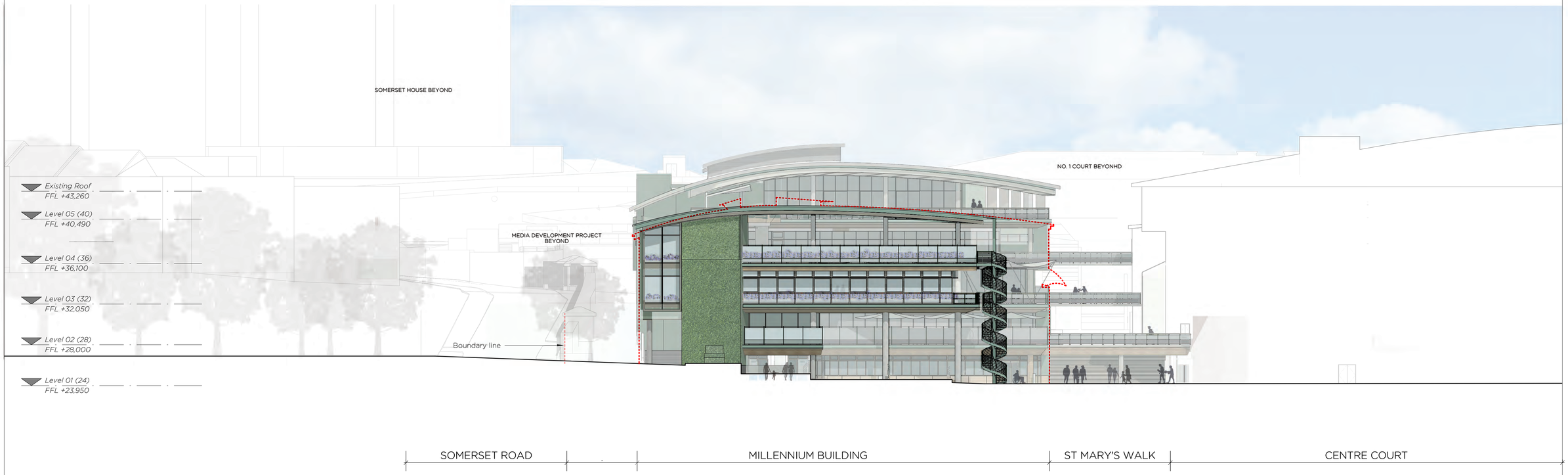


Elevations Key Plan



Rev.	Date	Description
P01	20/07/2020	First Issue
P02	01/09/2020	Issued for consultation
P03	23/10/2020	Issued for Planning

KEY

Existing Building Outline

0 10m

Notes

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project Millennium Building Project
for AELTG
title Proposed GA Elevation - South

suitability S2 - For Information
scale 1:200@A1 1:400@A3
drawing number 51335-LDA-MB-ZZ-DR-A-PL227
rev. P03

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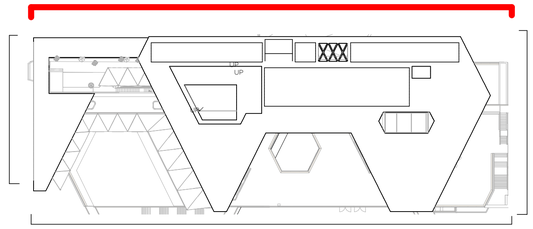

Elevations Key Plan

BROADCAST CENTRE AND MEDIA PAVILION

PLAYERS' BRIDGE

MILLENNIUM BUILDING

TUNNEL PORTAL

GATE 13

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P03	23/10/2020	Issued for Planning

KEY

Existing Building Outline

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project Millennium Building Project

for AELTG

title Proposed GA Elevation - West

suitability S2 - For Information

scale 1:200@A1 1:400@A3

drawing number 51335-LDA-MB-ZZ-DR-A-PL224

rev. P03

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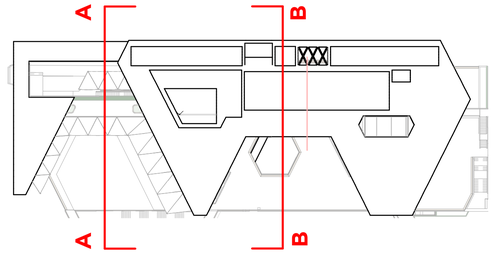
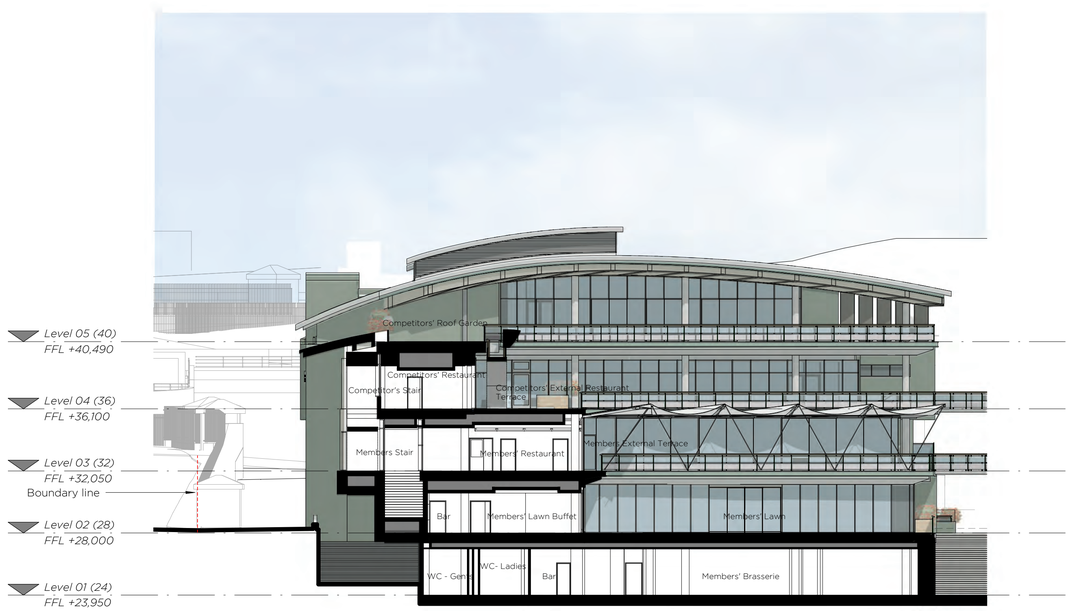
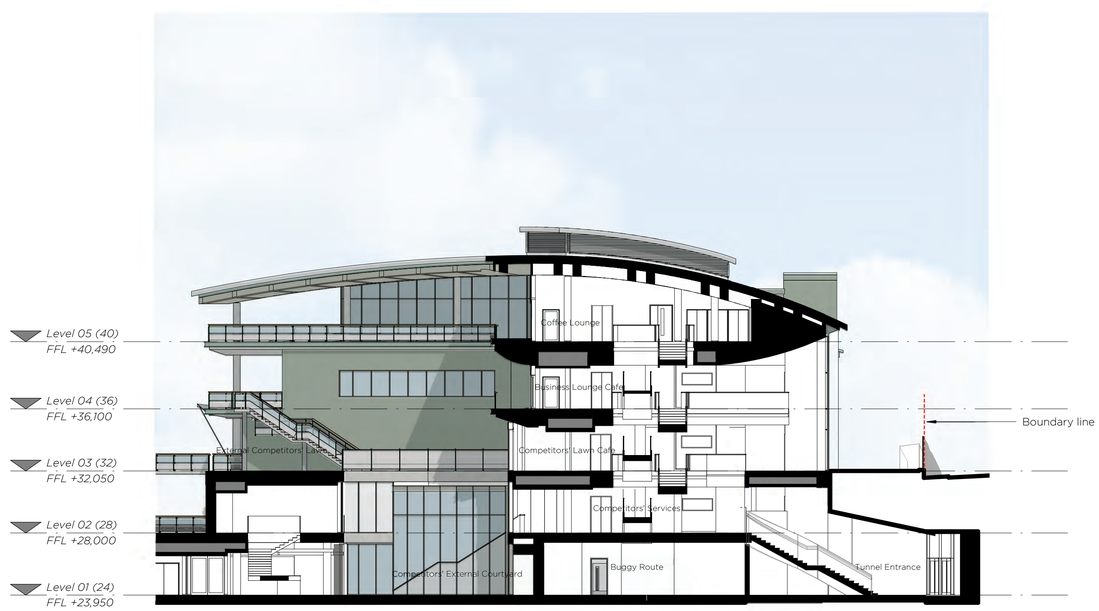


Key Plan



Planning Section AA



Planning Section BB

Rev.	Date	Description
P01	23/10/2020	First Issue
P02	28/10/2020	Issued for Planning

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project Millennium Building Project
for AELTG
title Proposed GA Sections - AA and BB

suitability S2 - For Information
scale 200@A1
drawing number 51335-LDA-MB-ZZ-DR-A-PL301
rev. P01

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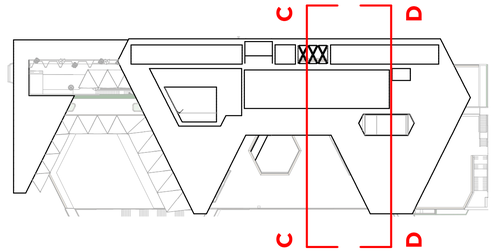
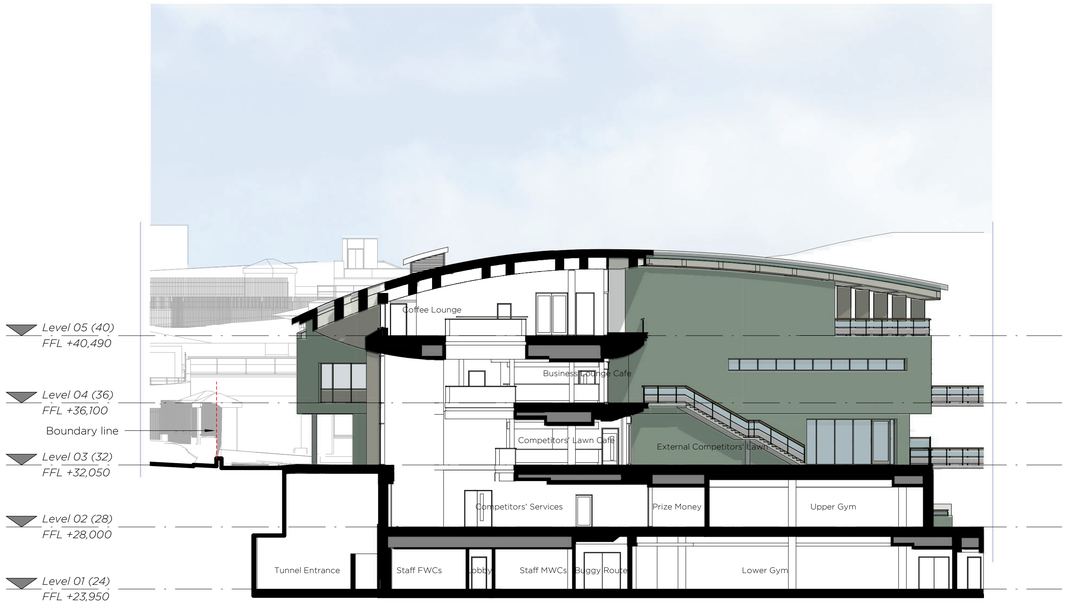
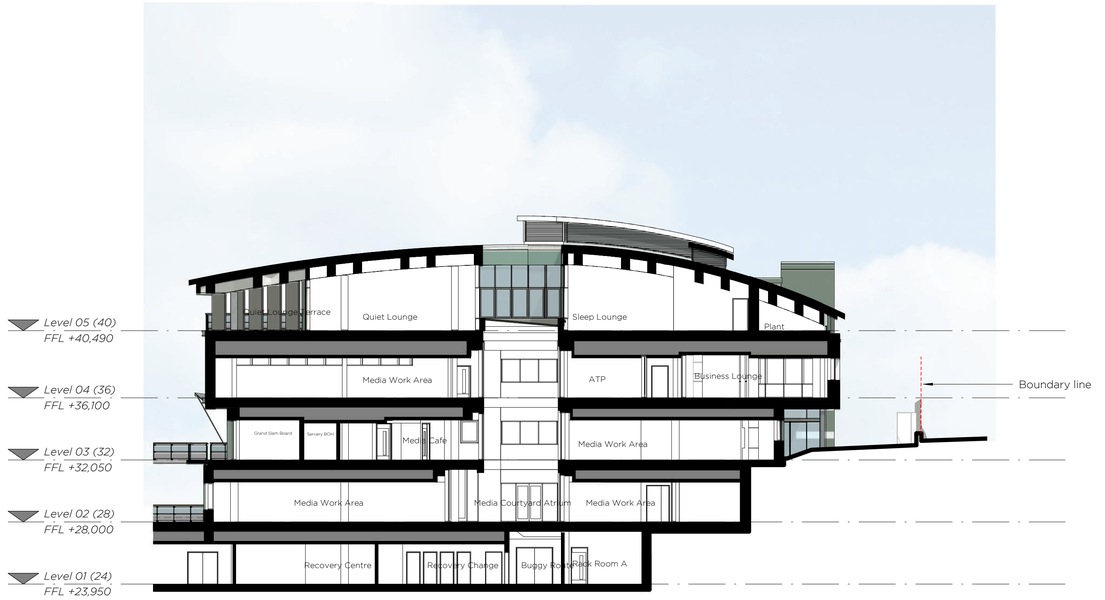


Key Plan



Planning Section CC



Planning Section DD

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Rev.	Date	Description
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e-mail office@langstaffday.co.uk

project Millennium Building Project

for AELTG

title Proposed GA Sections - CC and DD

suitability S2 - For Information | *scale* 200@A1

drawing number 51335-LDA-MB-ZZ-DR-A-PL302 | *rev.* P01

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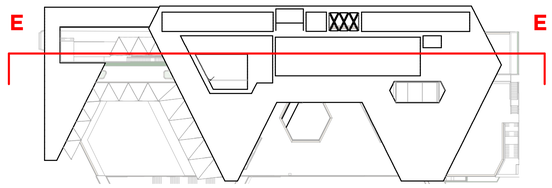

Key Plan

Planning Section EE

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Rev.	Date	Description
P01	28/10/2020	Issued for Planning

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project Millennium Building Project

for AELTG

title Proposed GA Sections - EE

suitability S2 - For Information | *scale* 200@A1 | *drawing number* 51335-LDA-MB-ZZ-DR-A-PL303 | *rev.* P01

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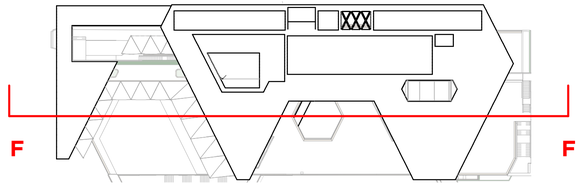

Key Plan

Planning Section FF

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project Millennium Building Project
for AELTG
title Proposed GA Sections - FF

suitability S2 - For Information
scale 200@A1
drawing number 51335-LDA-MB-ZZ-DR-A-PL304
rev. P01

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PLANNING APPLICATIONS COMMITTEE

29th June 2021

APPLICATION NO	**DATE VALID**
20/P2368	11/09/2020

Address/site:	13 Deepdale, Wimbledon, London, SW19 5EZ
Ward:	Village
Proposal:	ERECTION OF REPLACEMENT DWELLING WITH ACCOMODATION IN ROOF AND BASEMENT FOLLOWING DEMOLITION OF EXISTING DWELLING.
Drawing Nos.	Materials Schedule 19-P0062, 101, 109, 110, 100, CP, DPA-8071-03 Rev B, 105, 103, 102, 104, LP, SY666-100-0001, SY666-100-0261, SY666-100-0271.
Contact officer:	Tim Bryson (020 8545 3981)

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION.

- Conservation Area - No
- Area at risk of flooding - No
- Controlled Parking Zone - Yes
- Trees - Yes
- Listed Building – No
- Is a Screening Opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No

- Number of neighbours consulted: 3

1. INTRODUCTION

1.1 This application has been brought to the Planning Applications Committee for determination due to the nature and number of objections received.

2. SITE AND SURROUNDINGS

2.1 The application site forms no. 13 Deepdale in Wimbledon. The existing property is a detached house with a gabled roof and red brick finish. The plot is roughly rectangular, with a large rear garden and parking to the front of the property.

2.2 The surrounding area is residential in character and comprises mainly of similar detached houses on large plots of land. To the rear of the application site is The Buddhapadipa Temple.

2.3 The site is not located within a conservation area, nor is the property listed. However, it is acknowledged that the property is in close proximity to The Wimbledon North Conservation Area, which is sited to the north-west of the site.

2.4 The application site is approximately 0.08 hectares in size.

3. CURRENT PROPOSAL

3.1 The proposal relates to the erection of a new dwelling following demolition of an existing dwelling. The proposed dwelling house would be sited 6.1 m from the boundary treatment to the front. The proposed house would be 13 m in width and 16. 4 m in length. The house would have an eaves height of 5.8 m and a hipped roof with a ridge height of 9.5 m.

3.2 The proposed dwelling will feature 4 floors, including a basement level and will benefit from 5 bedrooms in total. Two off-street parking spaces would be provided within the front curtilage.

3.3 The house would be finished using a combination of red bricks, with Portland stone details and a slate roof. A landscaped rear garden is proposed.

4. PLANNING HISTORY

- App Ref. 13/T2466. Front garden - overhanging branches to neighbouring Japanese maple to be lightly lifted over driveway. Rear Garden – crown reduce beechtrees, magnolia and hedge. Remove any dead trees and low branches to trees adjacent to magnolia. Tree Works Approved. Decision Date 26th September 2013.

5. CONSULTATION

5.1 Consultation letters were sent to 3 neighbouring properties. A total of 7 objections were received. These have been summarised below:

- The proposed dwelling would impact on neighbouring properties by way of overbearing and overshadowing, overlooking.
- Would appear bulky and represent overdevelopment of the application plot.
- Would exacerbate existing drainage and flooding issues.
- Absence of adequate drawings to assess application fully.
- Construction vehicles will cause congestion and damage the road.
- Construction works will generate high levels of noise and cause nuisance.
- The proposed development will impact on local ecology.
- Loss of light to neighbouring rooms;
- Flood risk from the basement;
- No use of flat roof to be controlled via condition;
- Impact on badgers;

Action for Swifts: Standing advice provided on encouraging swift nesting opportunities.

The Wimbledon Society:
The Wimbledon Society wishes to offer the following comment on the above application. The basement Impact Report which forms part of the above application states that “the site is a considerable distance from water sources” but we are informed that this is inaccurate and that the site is in fact close to a natural spring which feeds a stream 20 metres away and also the lake in the Buddhapadipa Temple. The lower portion of Deepdale suffers from considerable hydrological problems and there have been several instances of flooding over the past few years in the houses at the bottom of Deepdale. Several recent developments in this area have not included a basement, very possibly due to the danger of flooding.

The Basement Impact Report says “trial hole investigation will need to be carried out”, “supplementary ground investigation is required” and “further investigation of adjacent building foundations could be required”. One could infer from these statements that the author of the report knows or at least suspects that there may well be hydrological problems. We submit that no planning permission should be granted until a full hydrological survey (and the further investigations referred to in the Basement Impact Report) have been conducted and submitted to Merton Council for approval, including a way of obviating the potential problems identified.

East Surrey Badger Protection Society**:**

There is a large and long established Badger Sett in the Temple grounds which adjoins the rear of 13 Deepdale. Natural England guidelines suggest that work closer than 20 meters from a Badger sett entrance may require a Natural England badger development licence which are normally only issued between 1st July and 30th November. Badgers are a protected species making it illegal to disturb them under the badgers Act 1992. The standoff distance for this type of excavation maybe 30 m from the sett.

Thames Water:
A Groundwater Risk Management Permit from Thames Water will be required should the applicant seek to discharge ground water to the public network.
No objection, subject to informatives.

Council's Highways Officer:
No objection, subject to condition and informatives.

Council's Transport Planner:
No objection, subject to conditions and informatives.

Council's Tree and Landscape Officer:
No objection, subject to conditions.

Council's Flood Risk Officer:
Further to my original response and recommended conditions, I have reviewed the flood risk/drainage details submitted, including the Green Consulting Engineers drainage strategy, and find this acceptable to proceed on the basis of conditions that seek implementation in accordance with these approved details.

Surface water drainage is to be attenuated to no more than 2l/s in accordance with our requirements and those of the London Plan 5.13.

6. POLICY CONTEXT

London Plan 2021 policy:
D3 (Optimising site capacity through a design lead approach),
D5 (Inclusive design),
D6 (Housing Quality and standards),
D10 (Basement development)
D11 (Safety & Security),
G7 (Trees and woodlands),
SI 2 (Minimising greenhouse gas emissions),
SI 13 (Sustainable drainage),
T2 (Healthy streets),
T5 (Cycling),
T6.1 (Residential Parking),
T7 (Deliveries, servicing and construction)
HC1 (Heritage conservation and growth)

Merton Sites and Polices Plan July 2014 policies:
DMD1 Urban Design and the public realm
DMD2 Design considerations in all developments
DMD3 Alterations and extensions to existing buildings
DMD4 Managing heritage assets
DMF2 SuDS
DMO2 Trees, hedges and landscape features

Merton Core Strategy 2011 Policy:
CS 14 Design
CS15 Climate Change
CS18 Transport
CS20 Parking, Servicing and Delivery

National Planning Policy Framework 2019

6. PLANNING CONSIDERATIONS

6.1 Material Considerations

6.1.1 The planning considerations concern principle of development, visual impact/design, neighbour amenity, basement accommodation, sustainability, trees and parking issues.

6.2 Principle of development

6.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

6.2.2 In principle the proposed demolition of the dwelling and construction of another dwelling is acceptable. The existing dwelling is of little significance and architectural merit. The loss of the existing dwelling is therefore considered acceptable in principle, provided a suitable replacement is provided, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

6.3 Design & impact upon the character of the area

6.3.1 Planning Policies DM D2, DM D3 and DM D4 seek to ensure a high quality of design in all development, which related positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban

layout and landscape features. Core Planning Policy CS14 supports these SPP Policies. London Plan Policies D3 and D4 outlines that all development must make the best use of land by following a design-led approach that optimises the capacity of sites and respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality.

6.3.2 DMD4 seeks to ensure that development affecting a Conservation Area either preserves or enhances the character and appearance of the Conservation Area.

6.3.3 The local build pattern is not uniform, comprising of detached properties of varying sizes and designs. There are examples of both newly built contemporary properties as well as more traditional designs within close proximity on this street. While the proposed design would contrast from the existing dwellings immediately to each side of the site, it is viewed that it would integrate well within Deepdale as a whole. A modern traditional style dwelling is located two properties south, in which the proposal takes some design aspects from. The proposals siting between one older traditional property and a more modern recently built property to the north would result in an appropriate addition to this streetscene.

6.3.4 The proposed dwelling would be proportionate to the plot of land and would not result in a cramped form of development, leaving sufficient spacing on each side. Furthermore, the window and door proportions, as well as materials, would all appropriately respond to the neighbouring properties and is considered acceptable.

6.3.5 It is not considered that the proposed replacement dwelling would adversely impact upon views into and out of the Conservation Area, given the Conservation Area boundary is sited to the north-west of the application site where any views would be from private land which has dense tree cover.

6.3.6 Given the above, the proposed new dwelling is considered to be acceptable in terms of its impact upon the character and appearance of the area, specifically with respect to its scale, form and appearance, and is therefore considered compliant with Local Policy and London Plan Policy.

6.4 Neighbouring amenity

6.4.1 Polices DM D2 and DM D3 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

6.4.2 The site is adjoined by neighbouring properties numbers 11 and 15 Deepdale. The existing dwelling on site is positioned further forward at two storeys in

comparison to number 11, and slightly set back from the two storey front building line of number 15. Due to the natural gradient of the road, the existing dwelling on site sits on lower ground than number 11 and higher than number 15.

6.4.3 The proposed replacement dwelling would be sited on an identical two storey front building line as the existing dwelling to be demolished, with taller eaves and ridge height. Taking into account the uplift in height, officers raise no concern with regards to the impact on the front facing windows of number 11. The replacement dwelling would extend back further into the site than the existing at both two storey and single storey level. The two storey aspect would go beyond the near-most two storey rear building line of number 11. The proposed plans demonstrate that the proposal would not breach a 45 degree line when taken from the nearest first floor rear facing window at number 11 (which serves a bedroom). The single storey section for the proposal would retain a gap to the boundary and although this would go beyond the neighbouring building line at single storey, it would not cause material harm due to its single storey appearance and limited depth.

6.4.4 There is 1 ground floor side facing window at number 11 which would be impacted by the proposal. This window serves a kitchen area of a kitchen/living area. The representation received from the occupiers of number 11 was accompanied with 2 photographs from inside number 11 showing this window. The proposal would result in the new dwelling being set further back into the site in comparison to existing at two storey by 6.0 m and would thereby have an impact on the outlook and natural light received to this part of number 11. Whilst this would diminish the light and outlook to this side window, officers consider that the combination of the other natural light sources to this open-plan room and that the primary outlook to the occupiers of number 11 is to the front and rear, ensures that overall the outlook and light to all other remaining rooms in the dwelling would not be harmed. Therefore, taking into account the hipped roof design and spacing to the boundary, overall, officers are satisfied that it would not cause harm to the amenities of this neighbouring property.

6.4.5 Number 15 is a modern house which is sited over three floors (lower ground, ground and first floor). The closest window at number 15 to the proposal is a first floor side window, which serves a bathroom. Although the proposal would impact upon this side window, it serves a non-habitable room and therefore officers raise no concerns with the potential impact on light to this room. The proposed two storey rear building line would breach the nearest two storey rear building line of number 15 by 2.4 m where number 15 has rear facing windows which serve a living room at ground level and a bedroom at first floor level. The proposal would not breach the 45 degree line when taken from these nearest habitable room windows. The single storey section would have a flat roof and with its limited height officers are satisfied that it would not cause harm to number 15. Officers acknowledge that the proposal would result in some

increase enclosure and presence of built form to number 15 due to the sit being on higher ground level. However, it is not considered to cause material harm by reason of the separation distance, staggered rear building lien of number 15 and its large garden which serve the property.

6.4.6 The proposal will result in an increase in outlook across the road and to the rear, particularly at 2nd floor level. However, given the separation distance to neighbouring property opposite and its position would not result in a harmful relationship. Further, the rear facing first and second floor windows would offer views down the rear garden. Officers acknowledge that these would be visible from the rea gardens of both adjoining neighbours, however, this is a common relationship in residential roads where houses sit side by side.

6.4.7 The flat roof can be conditioned so it can not be used as a outdoor amenity terrace. Further, construction times would be controlled to ensure the construction is carried out at appropriate times and days. The first floor and 2nd floor side facing windows can be conditioned to be obscurely glazed to ensure overlooking is minimised.

6.4.8 Overall, it is considered that the proposal would not result in a materially harmful impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. It is therefore considered compliant with Policy DM D2.

6.5 Basement accommodation

6.5.1 Planning policy DMD2 (Design considerations in all development) states that to ensure that structural stability is safeguarded and neighbourhood amenity is not harmed at any stage by the development proposal, planning applications for basement developments must demonstrate how all construction work will be carried out. Planning policy DM F1 (support for flood risk management) and DM F2 (sustainable urban drainage system (Suds) and; wastewater and water infrastructure) of Merton Sites and Policies Plan seeks to mitigate the impact of flooding in Merton.

6.5.2 The site lies within Flood Zone 1 (low risk of flooding) wherein principle a basement development is considered acceptable. The proposal includes a basement. The size of the basements complies with planning policy DM D2 (Design considerations in all development) as it would not cover more that 50% of either the front or rear garden. The proposed basement would be wholly beneath the footprint of the proposed dwelling, with exception to the front and rear lightwells.

6.5.3 The application has been accompanied with a Basement Impact Assessment, Construction Method Statement and Sustainable Drainage Strategy. The Council's Flood Risk Officer has reviewed the proposal and is satisfied that the basement can be accommodated on site, subject to conditions to ensure t he proposal is carried out in accordance with the accompanying reports.

6.5.4 The proposed basement would have a limited impact upon the visual amenities of area as the building line ensures that the front lightwells are set back from the public highway. Therefore, the proposed basement would have a limited impact upon the visual amenities of the street scene and local area.

6.6 Sustainability

6.6.1 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the Policies in outlined in Chapter 9 of the London Plan 2021.

6.6.2 As a minor development proposal, the development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

6.6.3 The proposal offers opportunities to enhance the sustainability credentials over the existing building. The application has been accompanied with a Sustainability Strategy which outlines that various technologies have been considered and the most suitable for the proposal would be solar power, ground source or air source heat pumps and waste-water heat recovery systems. The appropriate measures would be secured through the Council's standard pre-occupation condition which requires evidence to be submitted to show that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.

6.7 Trees and ecology

6.7.1 Merton Core Strategy Policy CS13 and Sites and Policies Plan Policy DMO2 outline that the Council will protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified.

6.7.2 The proposal has been accompanied with an Arboricultural Impact Assessment and Tree Protection Plan. The tree report notes that there are no significant trees of merit which would put a constraint on the development of the site. The neighbouring tree (T1) to the north of the front driveway would remain unaffected by the proposal. Some pruning of the neighbouring tree has previously been consented through a tree works application. The Tree Report outlines the method for installing the replacement front driveway surface, which would partly be within the Root Protection Area of tree T1. The Council's Tree and Landscape Officer has assessed the submitted tree information and has recommended standard tree conditions to suitably accommodate the proposal, which include implementation in compliance with the submitted Tree Report.

6.7.3 The proposal provides additional opportunities for soft landscaping, which includes tree planting on the submitted proposed landscaping plan. This could

be provided within the rear garden for the dwelling and potentially in the front garden.

6.7.4 Overall, there are no tree constraints on or off the site that would hinder the proposal and is considered compliant with relevant Local Policy and London Plan Policy.

6.7.5 The applicants have submitted an ecological survey of the site, which concluded that no evidence of bats were recorded in or outside of the dwelling or in trees. Further, the survey outlines that the site has low ecological value. Notwithstanding this, suitable mitigation recommendations are recommended in the survey in order to ensure the removal of tile hanging is carried out in a careful way should any bats be present.

6.7.6 Officers note the comments from the East Surrey Badger Protection Society regarding the badger sett to the north-west of the site in the neighbouring land. However, the main works are to the front end of the site with the replacement dwelling construction circa 25 m away and the rear boundary is fenced. Officers do not therefore consider that the potential presence of a badger sett to the north-west of the site would be disturbed by the proposal. An informative is however recommended to ensure that the applicants are made aware of the Natural England guidelines for when a Badger Development Licence may be required.

6.8 Standard of accommodation

6.8.1 SPP Policy DM D2, Core Strategy 2011 policies CS 9 Housing Provision and CS 14 Design and London Plan Policies 3.3. Increasing Housing Supply, 3.4 Optimising Housing Potential, 3.5 Quality and Design of Housing Developments are all policies that seek to provide additional good quality residential accommodation.

6.8.2 The house would include 4 floors, including a basement level and feature 5 bedrooms. The DCLG Technical Housing Standards required a 5 bed, 4 person, 2 storey dwelling to have a gross internal floor area of 134 sqm. The proposed dwelling would comfortably meet this standard.

6.8.3 SPP Policy DMD2 requires that for all new houses, the Council will seek a minimum of 50 sqm as a single, usable, regular amenity space. The proposed dwelling would have a garden with an area far in excess of this requirement, which exceeds the relevant standards.

6.9 Parking, servicing and construction

6.9.1 Policies CS20 (Parking, Servicing and Delivery) of the Adopted Merton Core Planning Strategy (2011) DM T2 (Transport Impacts of Developments) and (DM T3 (Car Parking and Servicing Standards) of the Adopted Merton Sites and

Policies Plan (2014), require developers to demonstrate that their development would not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or the quality of bus movements and/or facilities; on street parking and traffic management and provision of parking to the Council's current standards.

6.9.2 It is not considered that the replacement of the existing dwelling would unduly impact upon the parking pressure, or highway performance or safety. It is further noted that two parking spaces would be re-provided, and that the vehicle crossover is existing. Council's Transport Planner and Highways Officer are satisfied with the parking provided on the site and have recommended suitable condition to mitigate the construction process so that it is carried out in accordance with the submitted Construction Management Plan. Servicing the site would remain as existing, and bin/recycling storage is to be provided in the front amenity area.

7. Conclusion

7.7.1 The scale, form, design and positioning of the proposed replacement dwelling is considered to not cause material harm to the appearance of the streetscene, locality or the amenity of the surrounding neighbouring residents. Therefore, the proposal complies with the principles of polices within the Core Strategy, Sites and Policies Plan and the London Plan. It is therefore recommended to grant permission, subject to conditions.

RECOMMENDATION

Grant permission, subject to the following conditions and informatives:

1 The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2 The development hereby permitted shall be carried out in accordance with the following approved plans: Materials Schedule 19-P0062, 101, 109, 110, 100, CP, DPA-8071-03 Rev B, 105, 103, 102, 104, LP, SY666-100-0001, SY666-100-0261, SY666-100-0271.

Reason: For the avoidance of doubt and in the interests of proper planning.

3 The facing materials to be used for the development hereby permitted shall be those specified in the Materials Schedule 19-P0062 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

5 Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

6 Before the development hereby permitted is first occupied, the windows in the side elevations at first floor and above shall be glazed with obscured glass and shall be maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

7 The development hereby permitted shall incorporate swift bricks into the design.

Reason: To enhance biodiversity through encouraging nesting opprtunities for swift birds, in accordance with Policy DM O2 of the Sites and Policies Plan 2014.

8 The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy D4 and T7 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

9 The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy D4 and T7 of the London Plan 2021, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

10 The development hereby permitted shall be carried out in accordance with the Construction Management Plan by Portchester Build Ltd dated 22nd March 2021. The approved measures shall be implemented prior to the commencement of demolition and construction phases of the development hereby permitted and shall be so maintained for the duration of these phases until completion, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies D4 and T7 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

11 The details and measures for the protection of the existing trees as specified in the hereby approved document 'Arboricultural Report' dated 'December 2019' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

Reason: To protect and safeguard the existing trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014.

12 The details of the approved 'Arboricultural Report' shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of the demolition and site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works. The works shall be

carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: To protect and safeguard the existing trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and O2 of Merton's Sites and Policies Plan 2014;

13 No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy D14 and T7 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

14 No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy D4 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

15 The development hereby permitted shall be carried out in accordance with Site Investigation Report dated March 2021 by Albury S.I LTD, Basement Impact Assessment dated January 2021 by GSE Structural Engineering, Construction Method Statement dated July 2020 by Clegg Associates and Drainage Strategy dated April 2021 by GCE Consulting Engineering. No variation of the agreed details in the above documents shall be carried out, unless otherwise approved in writing by the Local Planning Authority. Surface water drainage is to be attenuated to no more than 2l/s in accordance with our requirements and those of the London Plan 5.13.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI13.

16 The development hereby permitted shall be carried out in accordance with the mitigiation measures as detailed in the report by AAe Environmental Consultants dated 10th March 2020 regarding bats.

Reason: In the interests of protecting bat species, in accordance with Policy DM O2 of the Sites and Policies Plan 2014.

17 All hard and soft landscape works shall be carried out in accordance with the approved details as shown on drawing SY666-100-0001. The works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

18 INFORMATIVE
If as part of the basement development there is a proposal to discharge ground water to the public network, this would require a Groundwater Risk Management Permit from Thames Water. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water?s Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

19 INFORMATIVE
A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water?s Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

20 INFORMATIVE
Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

21 INFORMATIVE
Highways must be contacted regarding new crossing and reinstatement of existing crossings. All works on the public highway are to be carried out by L B Merton and to Merton's specification. Highways must be contacted prior to any works commencing on site to agree relevant licences, and access arrangements - no vehicles are allowed to cross the public highway without agreement from the highways section.

22 INFORMATIVE
The applicant is advised to check the requirements of the Party Wall Act 1996 relating to work on an existing wall shared with another property, building on the boundary with a neighbouring property, or excavating near a neighbouring building. Further information is available at the following link:
http://www.planningportal.gov.uk/buildingregulations/buildingpolicyandlegislation/current legislation/partywallact

23 INFORMATIVE
The applicant should be aware that badgers are protected under the Protection of Badgers Act 1992. The applicant is advised to contact Natural England to see when a Badger Development Licence may be required. For more information, see the Natural England website:
https://www.gov.uk/government/organisations/natural-england

24 INFORMATIVE
No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

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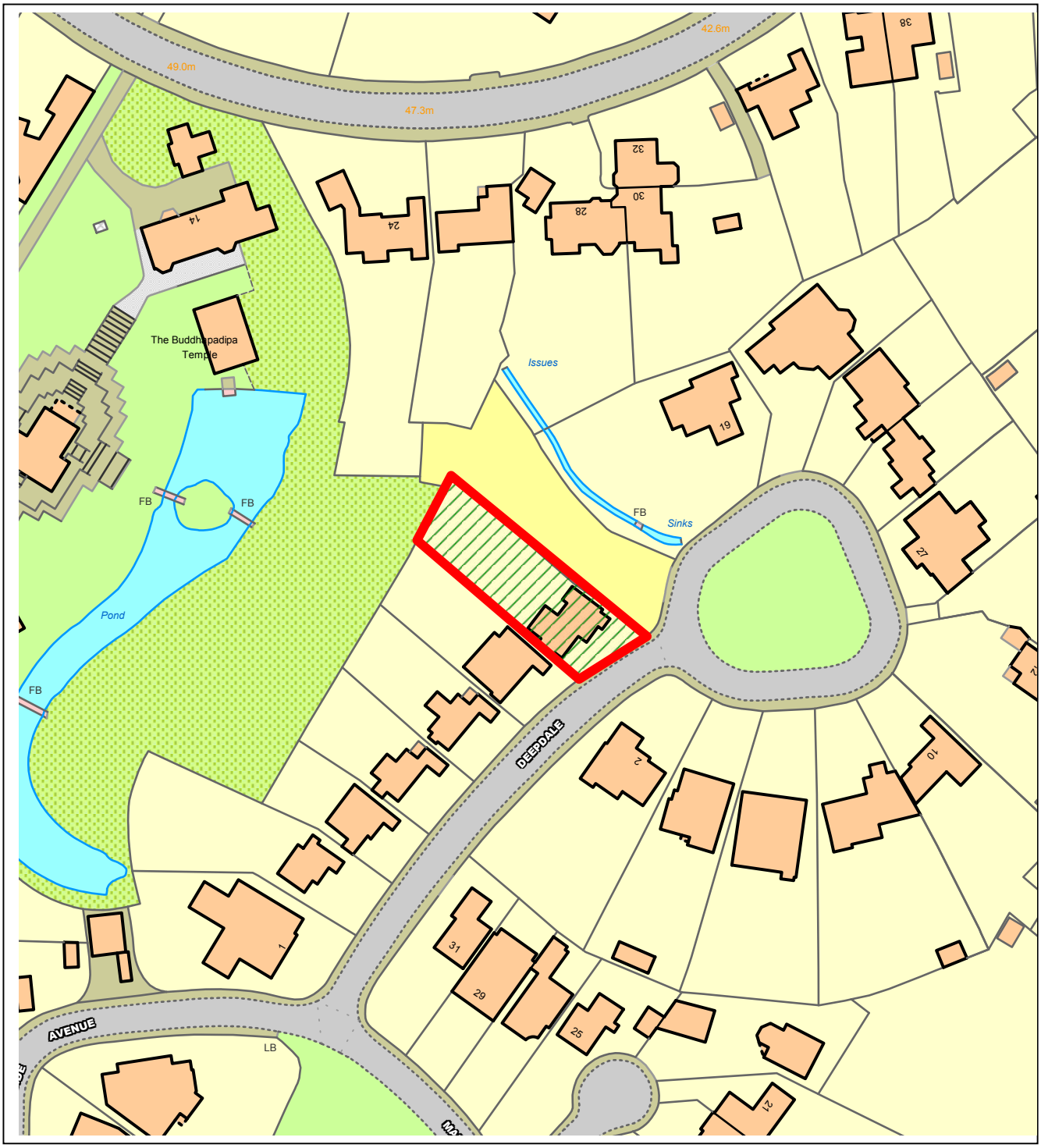

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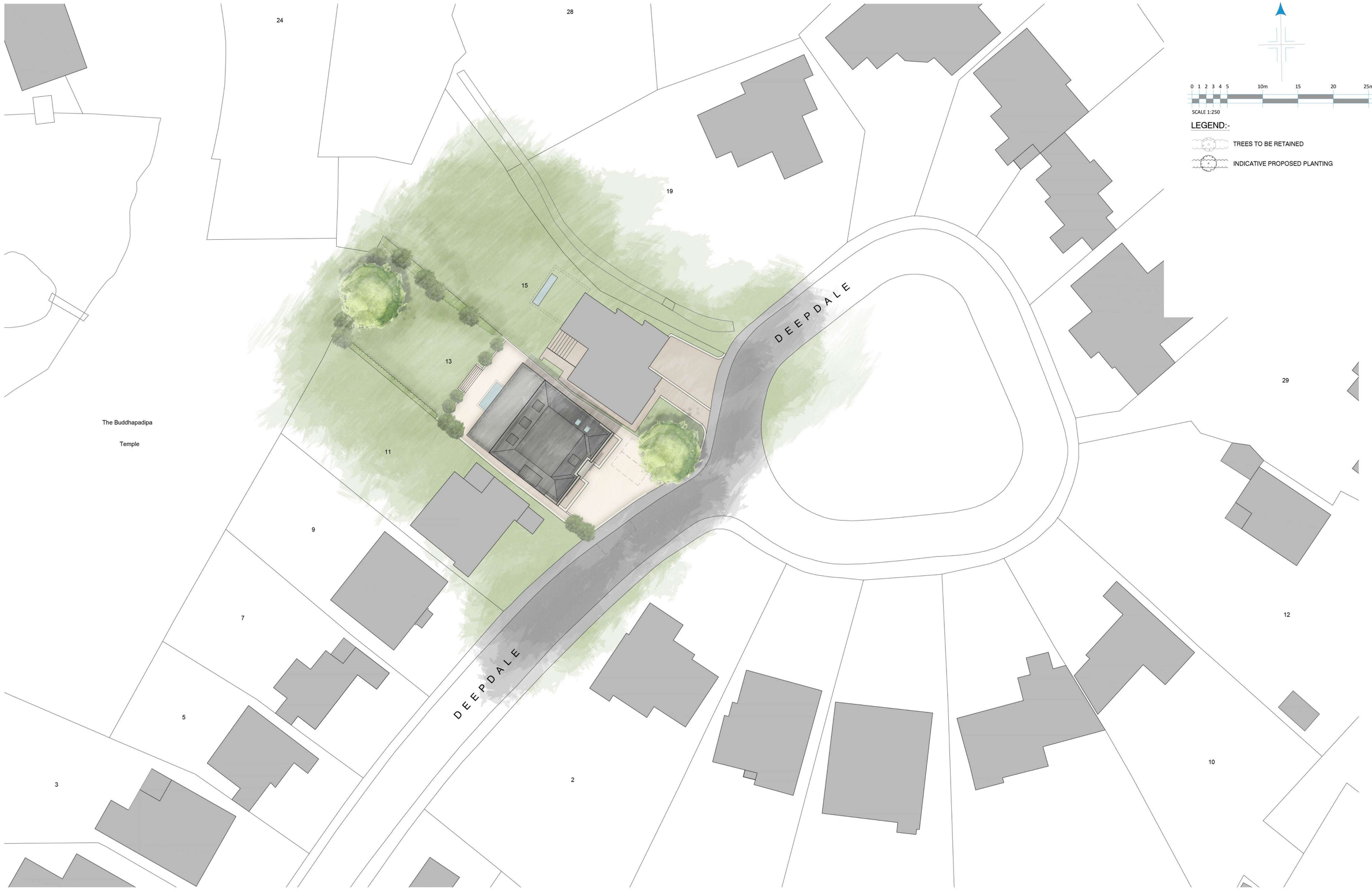

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SCALE: 1:250 (A1 ORIGINAL)		DRAWING: COLOURED SITE LAYOUT	
DRAWN: BM	JOB NO:	DRAWING NO:	REVISION:
DATE: DEC '20	19 - P0062	100	-

TWENTY-20
Architecture
+ Management
+ Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214, 377-399 London Road; Camberley; Surrey; GU15 3HL

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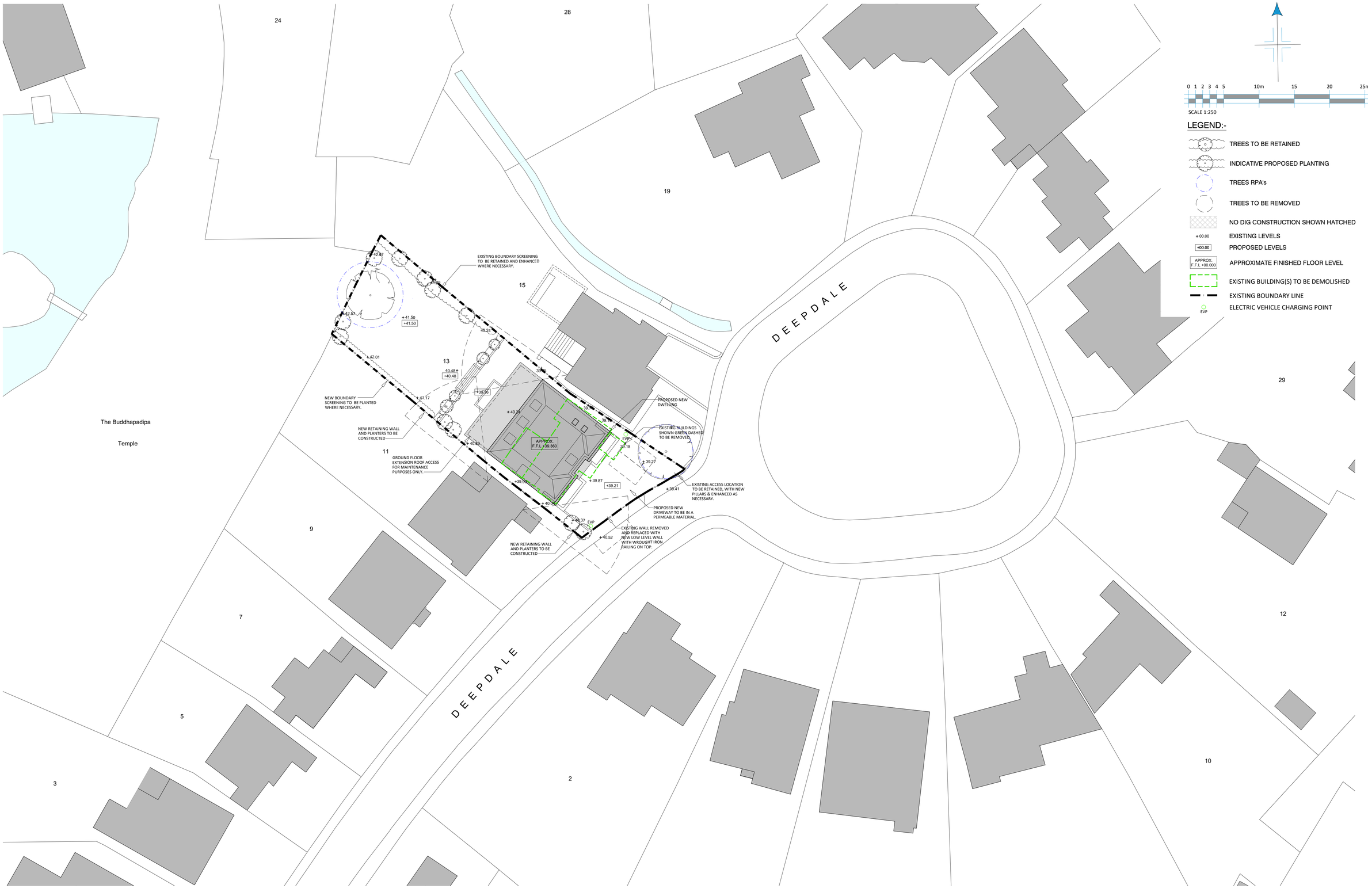

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TWENTY-20
:Architecture
:Technical
:Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214; 377-399 London Road; Camberley; Surrey; GU15 3HL

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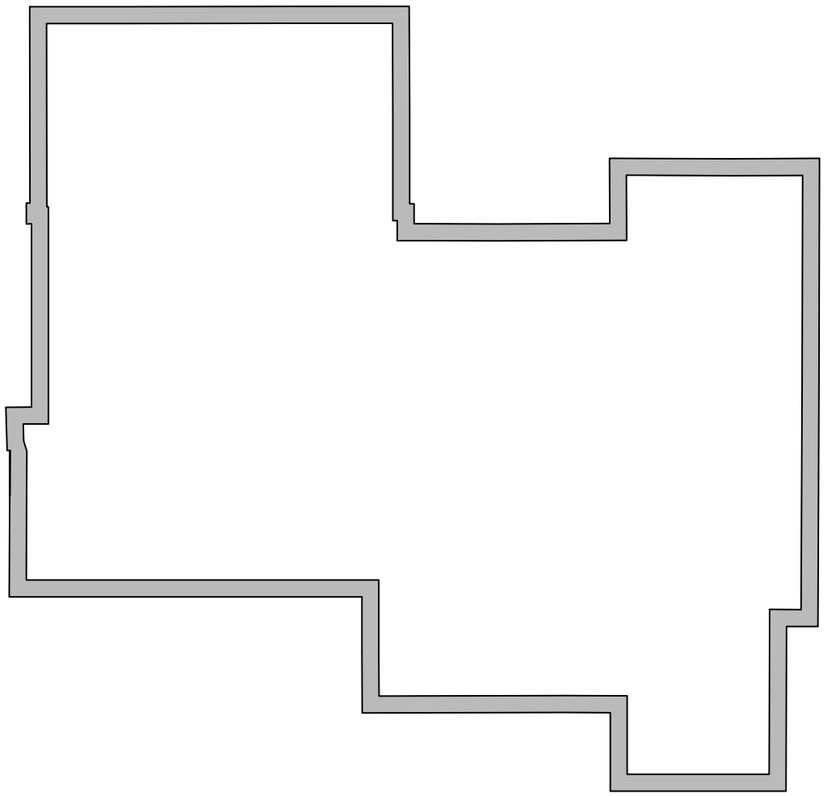
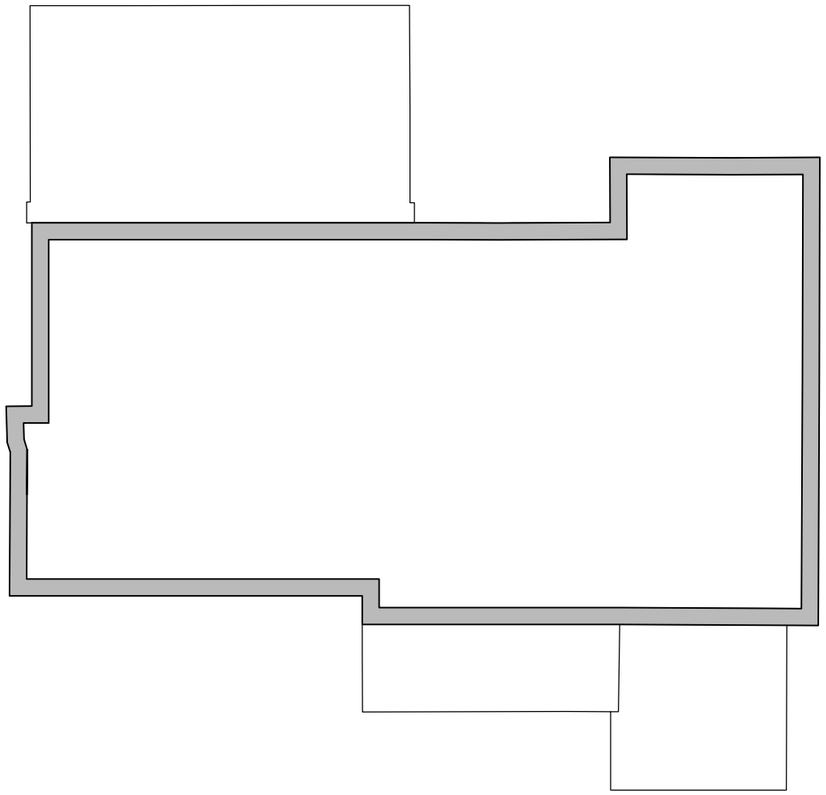


GROUND FLOOR PLAN



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SCALE: 1:100 (A3 ORIGINAL)		DRAWING: EXISTING FLOOR PLANS	
DRAWN: BM	JOB NO: 19 - P0062	DRAWING NO: 105	REVISION: -
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TWENTY-20
: Architecture
: Technical
: Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214; 377-399 London Road; Camberley; Surrey; GU15 3HL

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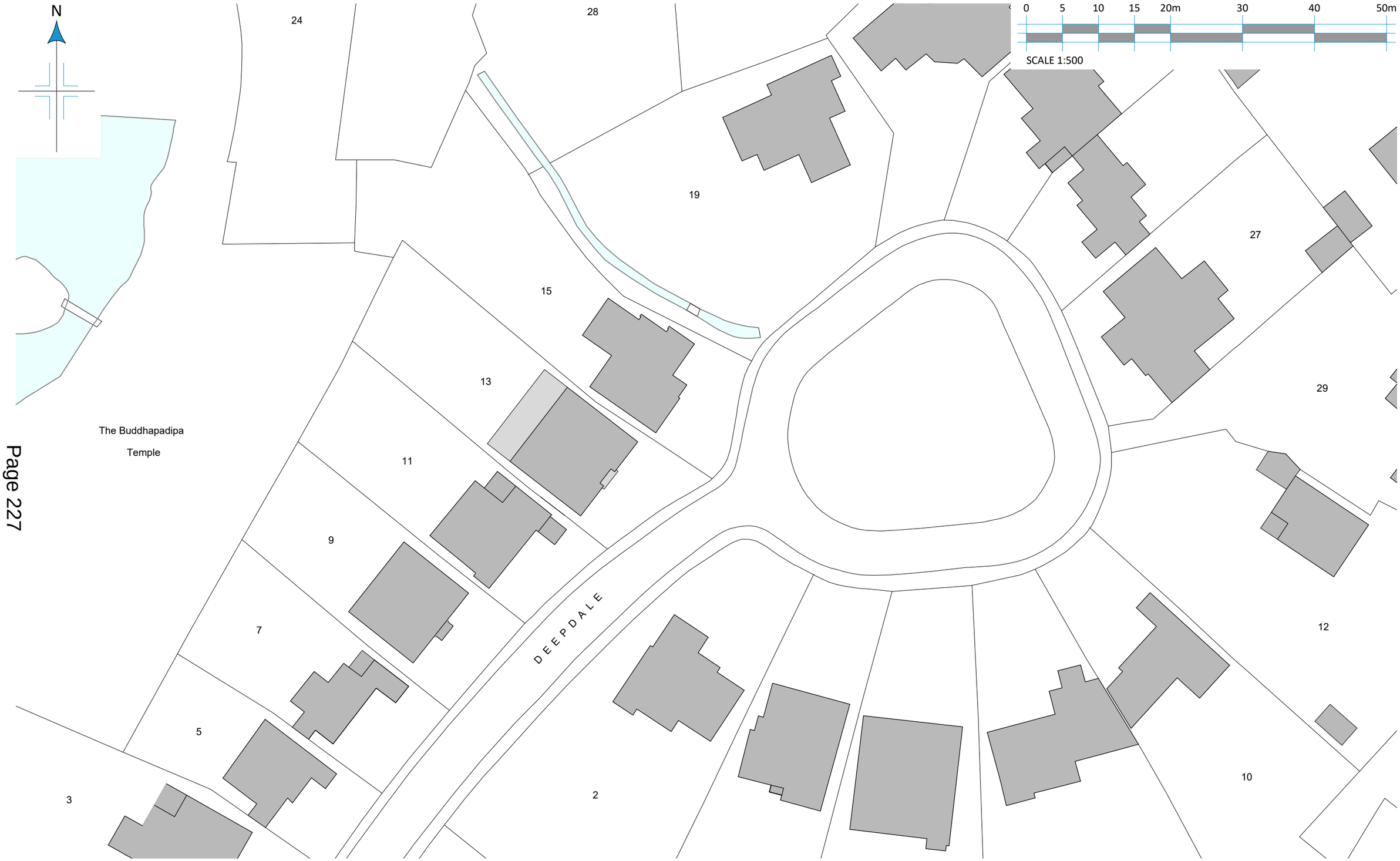

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DRAWN: BM	JOB NO: 19 - P0062	DRAWING NO: CP	REVISION: -
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TWENTY-20
Architecture
Technical
Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214; 377-399 London Road; Camberley; Surrey; GU15 3HL

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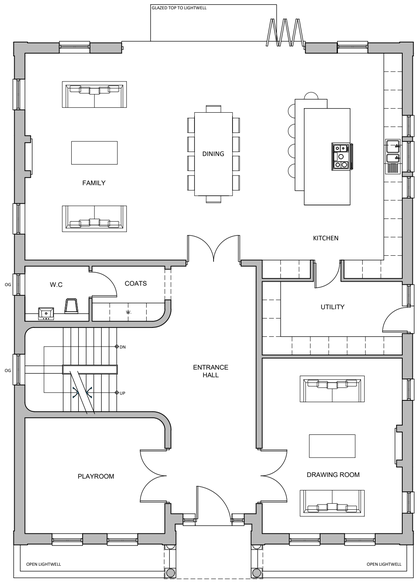
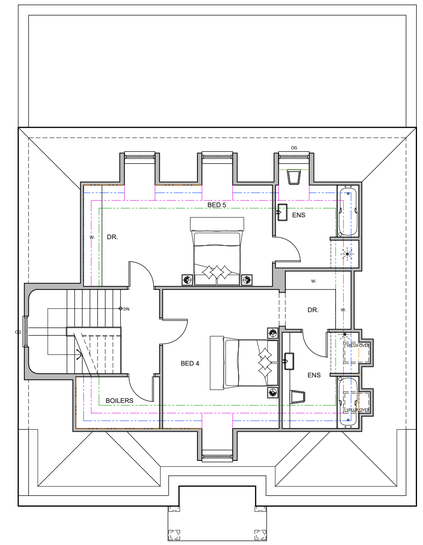
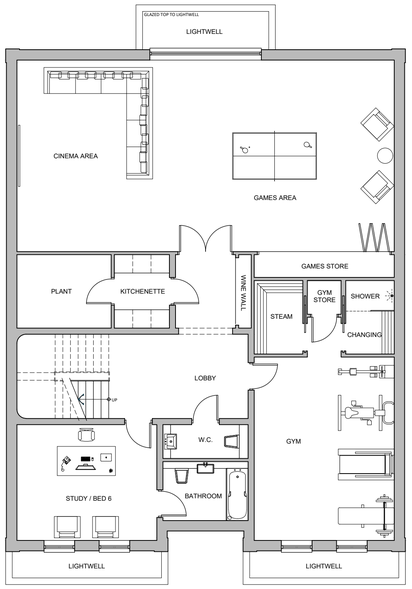


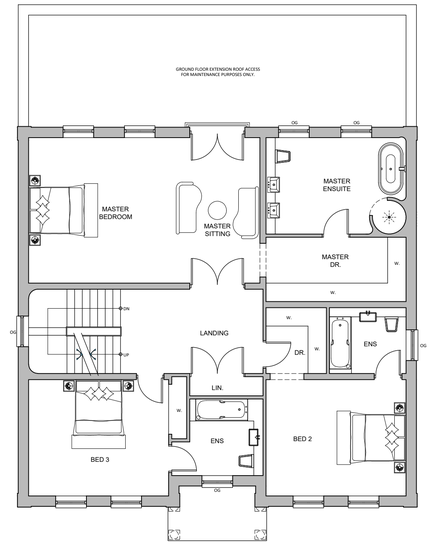
GROUND FLOOR PLAN



SECOND FLOOR PLAN



BASEMENT FLOOR PLAN



FIRST FLOOR PLAN

REV.	DATE	REVISIONS:	REV.	DATE	REVISIONS:

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CLIENT: MR & MRS A PEAR		PROJECT: NO 13 DEEPDALE, WIMBELDON, SW19 5EZ.	
SCALE: 1:100 (A1 ORIGINAL)		DRAWING: PROPOSED FLOOR PLANS	
DRAWN: BM	JOB NO: 19 - P0062	DRAWING NO: 102	REVISION: -
DATE: JUNE '20			

TWENTY-20
Architecture
Technical
Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214, 377-399 London Road, Camberley, Surrey, GU15 3HL

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0 1 2 3 4m 6 8 10m

SCALE 1:100

FRONT (SOUTH EAST) ELEVATION

SIDE (NORTH EAST) ELEVATION

REAR (NORTH WEST) ELEVATION

SIDE (SOUTH WEST) ELEVATION

REV.	DATE	REVISIONS:	REV	DATE	REVISIONS:

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CLIENT: MR & MRS A PEAR		PROJECT: NO 13 DEEPDALE, WIMBELDON, SW19 5EZ.	
SCALE: 1:100 (A1 ORIGINAL)		DRAWING: PROPOSED ELEVATIONS	
DRAWN: BM	JOB NO: 19 - P0062	DRAWING NO: 103	REVISION: -
DATE: JUNE '20			

TWENTY-20
: Architecture
: Technical
: Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214; 377-399 London Road; Camberley; Surrey; GU15 3HL

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0 1 2 3 4m 6 8 10m

SCALE 1:100

PROPOSED STREET SCENE

PROPOSED SITE SECTION

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SCALE: 1:100 (A1 ORIGINAL)		DRAWING: PROPOSED STREET SCENE & SITE SECTION	
DRAWN: BM	JOB NO:	DRAWING NO:	REVISION:
DATE: JUNE '20	19 - P0062	104	-

TWENTY-20
: Architecture
: Technical
: Vision
+44 (0) 1276 415766
admin@2020architecture.co.uk
www.2020architecture.co.uk
Basepoint Unit 214; 377-399 London Road; Camberley; Surrey; GU15 3HL

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	APPLICATION NO.	DATE VALID
	21/P0380	08/02/2021

Address/Site: The Pavilions (17-40 Greenview Drive)
Raynes Park
SW20 9DS

Ward: West Barnes

Proposal: APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF A TWO STOREY ROOF EXTENSION TO PROVIDE 10 X SELF CONTAINED FLATS, WITH ASSOCIATED CAR AND CYCLE PARKING AND REFUSE PROVISION (AMENDED).

Drawing No.'s: WP-0748-A-0050-P-00; WP-0748-A-0100-P-00 Rev B; WP-0748-A-0200-E-XX Rev C; WP-0748-A-0201-E-XX Rev C.

Documents: Daylight & Sunlight Report (ref 4655) dated 20 January 2021; Flood Risk Assessment & Surface Water Drainage Strategy #5921 (ref 5921_FRA_SWDS); Transport Technical Note (ref 205694/N01) dated January 2021.

Contact Officer: Catarina Cheung (020 8545 4747)

RECOMMENDATION

Grant prior approval subject to conditions.

CHECKLIST INFORMATION

- Heads of Agreement:
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 50
- External consultations: Yes
- Controlled Parking Zone: No
- Archaeological Zone: No
- Conservation Area: No
- Flood Zone: 2 and 3

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

1.2 This is a prior approval application submitted under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020, Schedule 2, Part 20, Class A, **New dwellings on detached blocks of flat**: Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats.

1.3 Therefore, the only issues that can form material considerations are as follows:

(a) transport and highways impacts of the development;
(b) air traffic and defence asset impacts of the development;
(c) contamination risks in relation to the building;
(d) flooding risks in relation to the building;
(e) the external appearance of the building;
(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
(h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State, and
(i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building.

1.4 The assessment against these criteria is set out later in this report.

2. SITE AND SURROUNDINGS

2.1 The buildings within Greenview Drive were constructed under outline planning permission ref. 05/P2802 and reserved matters approval ref. 07/P3679.

2.2 The development, known as The Pavilions, consists of 2 detached blocks and 10 townhouses. The north-eastern block contains 16 flats and south-western block (facing toward the Alliance Sports Ground), contains 24 flats. The blocks have 4 storeys and a maximum height of 11.7m.

2.3 This application concerns the south-western block, no development is proposed to the north-eastern block or townhouses.

2.4 The site is located south of Bushey Road and to the west of Fairway.

2.5 At the centre of the development is a grassed area, 2 private access roads are provided within the development with 2 parking courts – one toward the eastern side and one between the 2 detached blocks. The townhouses are provided with a front off-street parking space.

2.6 The buildings are finished with yellow brick with white render across the ground floor level.

2.7 Existing cycle and bin stores, for the flats, are provided toward the northern boundary.

2.8 Adjoining south-west of the application site is the Alliance Sports Ground, this is a designated Open Space and Green Corridor. Other than this green space, the

surrounding area is predominantly residential. Fairway (east/south east) and Bushey Road (north east) comprises 2 storey 1930s terrace and semi-detached dwellings. Bushey Court (north) is a 4 storey 1950s flatted blocks.

2.9 The site is not located within a Conservation area nor are the buildings listed.

2.10 The site is not located within an Archaeological Priority area.

2.11 The site is located within a Flood risk area, Zone 2 and 3.

2.12 The site has a PTAL of 4 and is not located within a Controlled Parking Zone.

3. PROPOSAL

3.1 The application proposes a 2 storey roof extension to provide a further 10 residential dwellings:

- 2x 1bed 2 person flat (47sqm and 49sqm)
- 5x 2bed 3 person flat (66sqm and 67sqm)
- 1x 3bed 5 person flat (85sqm)
- 2x 2bed 4 person flat (70sqm)

3.2 All units would have access to private external amenity, in the form of balconies/roof terraces.

3.3 The proposed fourth storey of the building would be finished in yellow brick, with white framed windows and metal balconies to match the existing. The setback roof level would be metal clad in a grey colour with grey aluminium windows and doors.

3.4 The new maximum height of the building would be 17.7m.

3.5 12 additional car parking spaces shall be provided, an extension to the eastern parking court will be provided to accommodate these spaces. 24 cycle parking spaces proposed (22 long-stay and 2 short-stay), these shall be provided within a bike store positioned adjacent to the existing (northern) bike and bin store.

3.6 The existing bin stores will be extended to accommodate refuse provision for the additional units.

3.7 Pedestrian and vehicular access to the site will be maintained as per the existing arrangement from Fairway.

4. PLANNING HISTORY

Relevant applications in relation to the housing development

4.2 11/P2084: PROVISION OF ACCESS GATES OF SITE ENTRANCE AND SCREENS AND FENCING – Refused 10/10/2011

Reason - The proposed access gates would unnecessarily deter and restrict members of the public and vehicles from entering the development, which forms a residential extension to the surrounding residential street network, to the detriment of achieving good urban design and an appropriately accessible built environment, and would be contrary to the objectives of policy 7.3 of the

London Plan (2011) CS14 of the Merton LDF Core Planning Strategy (2011) and policy BE16 of the Merton Unitary Development Plan (2003).

4.3 09/P1391: CONSTRUCTION OF AN ADDITIONAL FIFTH STOREY TO THE PREVIOUSLY APPROVED BLOCK OF FLATS [UNDER REF 07/P3679] TO THE SOUTH WEST CORNER OF THE SITE ADJACENT TO BUSHEY ROAD TO PROVIDE 2 X 1 BED, 3 X 2 BED AND 1 X 3 BED FLATS. – Refused 01/02/2010. Appeal lodged and dismissed 31/08/2010.

Reason - The proposed development, by reason of its height, bulk, orientation and design would - (a) be too large for the site and would fail to respect the scale and height of (proposed) surrounding buildings; and (b) result in an unneighbourly development by reason of visual intrusion, overlooking and an adverse impact on the amenity of neighbours, especially the occupiers of the (proposed) nearby new town houses. The development would therefore be contrary to Policies BE.22 and BE.25 of the Adopted Merton Unitary Development Plan (October 2003).

4.4 07/P3679: DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF NORTHERN PART OF SITE (LAND BETWEEN THE REAR OF 5 TO 15 FAIRWAY AND BUSHEY ROAD) FOR 50 RESIDENTIAL UNITS COMPRISING FLATS AND HOUSES.

APPLICATION FOR APPROVAL OF RESERVED MATTERS (LAYOUT, SCALE, APPEARANCE AND LANDSCAPING) FOLLOWING THE GRANT OF OUTLINE PLANNING PERMISSION REF 05/P2802. – Reserved matters approved 09/05/2008

4.5 05/P2802: DEMOLITION OF EXISTING BUILDINGS AND DEVELOPMENT OF NORTHERN PART OF SITE (LAND BETWEEN THE REAR OF 5 TO 15 FAIRWAY AND BUSHEY ROAD) FOR 50 RESIDENTIAL UNITS COMPRISING 40 FLATS AND 10 TOWN HOUSES, LANDSCAPING AND PROVISION OF 55 CAR PARKING SPACE WITH VEHICLE ACCESS FROM FAIRWAY. APPLICATION FOR OUTLINE PLANNING PERMISSION WITH ACCESS ONLY TO BE DETERMINED AT THIS STAGE.

ILLUSTRATIVE PLANS SHOW 3 DIFFERENT OPTIONS FOR A POSSIBLE LAYOUT. EACH OPTION INCLUDES 4 STOREY BLOCKS OF FLATS AND HOUSING WITH THREE FLOORS OF LIVING ACCOMMODATION OVER GARAGES. – Outline planning permission refused at PAC 05/10/2006 (reason provided below). But an appeal was lodged against the LPA's refusal and the appeal was allowed 04/04/2007.

Reason - The applicant has failed to demonstrate that, in consulting with the Local community regarding the proposals, as required by PPG 17 (para.10) Planning for Open Space, Sport & Recreation, there is widespread support for the proposed access arrangements. The proposed access arrangements would give rise to unacceptable levels of traffic movement prejudicial to existing highway and pedestrian safety to the detriment of neighbouring residential amenity contrary to policy LU.3 of the Adopted Unitary Development Plan (2003).

4.6 02/P2681: REDEVELOPMENT OF PART OF SPORTS GROUND (1.76 HA) TO PROVIDE 69 DWELLINGS, TOGETHER WITH ASSOCIATED LANDSCAPING AND CAR PARKING, VEHICULAR ACCESS OFF FAIRWAY AND ENHANCEMENT OF

REMAINING OPEN SPACE (OUTLINE PLANNING APPLICATION) – Outline planning permission refused 16/01/2004

Reason 1 - The proposal would result in an unacceptable loss of open space, and represents an inappropriate development on a greenfield site, contrary to policies L.5 (Urban Green Space), ST.19 (Natural Environment), HP.1 (Housing Target) and ST.12 (Development on Previously Developed Land) of the Adopted Unitary Development Plan (October 2003) and PPG3.

Reason 2 - The proposal would result in the irretrievable loss of a substantial proportion of the existing sports and recreational facilities with insufficient compensatory sports and recreational benefits, contrary to policies ST.24 (Leisure and Recreation, Arts and Culture) and L.7 (Recreational Open Space) of the Adopted Unitary Development Plan (October 2003) and PPG17.

Reason 3 - The siting and layout of proposed dwellings would result in an unacceptable form of development which fails to reflect locally distinct patterns of development or provide convenient pedestrian and cycle routes, to contrary to policy BE.16 (Urban Design) of the Adopted Unitary Development Plan (October 2003).

Related applications (Sun Alliance Sports Club):

4.7 12/P1185: APPLICATION FOR NON-MATERIAL AMENDMENTS TO LBM PLANNING PERMISSION 09/P0868 (DATED 13/08/2009) INVOLVING ALTERATIONS FROM PERFORATED TO WELD MESH ON ALL SECURITY SHUTTERS, ADDITIONAL VENTILATION LOUVRE AND RAIN WATER PIPES TO FRONT ELEVATION, INSTALLATION OF AIR SOURCE HEAT PUMP TO SIDE ELEVATION AND INSTALLATION OF SOLAR PANELS TO ROOF. – Granted 27/07/2012

4.8 11/P1516: APPLICATION FOR DISCHARGE OF CONDITIONS 8 [LANDSCAPING], 26 [C02 EMMISSIONS] AND 29 [SURFACE WATER] ATTACHED TO LBM PLANNING PERMISSION 09/P0868 (DATED 13/08/2009) – Granted 22/08/2011

4.9 11/P1419: APPLICATION FOR DISCHARGE OF CONDITION NO. 16, (FACILITIES FOR PEOPLE WITH DISABLITIES) NO. 18 (NOISE) AND NO. 27 (BAT AND TREE SURVEY) ATTACHED TO LBM PLANNING APPLICATION 09/P0868 DATED 13/08/2009 – Granted 14/10/2011

4.10 11/P0581: APPLICATION FOR NON-MATERIAL AMENDMENTS TO LBM PLANNING PERMISSION 09/P0868 (DATED 13/08/2009) INVOLVING THE REMOVAL OF STEPS FROM PLAYING FIELD SIDE OF PAVILLION, CHANGE OF 3 x SLIDING/FOLDING SECURITY SCREENS TO FIXED SCREENS AND ADDITION OF 1 x NEW SLIDING/FOLDING SECURITY SCREEN TO NORTH ELEVATION. – Non-material amendment granted 18/04/2011

4.11 11/P0364: APPLICATION FOR DISCHARGE OF CONDITION 14 (ARCHAEOLOGICAL WORK) ATTACHED TO LBM APPLICATION 09/P0868 DATED 13/08/2009 – Granted 12/05/2011

4.12 09/P0868: DEMOLITION OF EXISTING DISUSED BUILDING PROVIDING SQUASH COURTS AND REMOVAL OF EXISTING CONCRETE AND TARMAC HARDSTANDING AND CLUB HOUSE FOUNDATIONS WITH THE CONSTRUCTION OF A SINGLE STOREY PAVILION BUILDING PARALLEL WITH BARNSCROFT AND WESTWAY CLOSE PROVIDING CHANGING FACILITIES

STORAGE, OFFICE AND SOCIAL AREA AND KITCHEN WITH PEDESTRIAN AND VEHICLE ACCESS FROM WESTWAY CLOSE WITH 8 CAR PARKING SPACES AND 12 CYCLE SPACES , IMPROVEMENTS TO DRAINAGE AND NEW PROTECTIVE FENCE TO THE REAR OF PROPERTIES IN LINKWAY – Granted at PAC 26/08/2009

4.13 01/P1198: APPLICATION FOR A CERTIFICATE OF LAWFULNESS IN RESPECT OF THE PROPOSED DEMOLITION OF THE GROUNDSMAN'S BUNGALOW – Certificate of lawfulness issued 22/06/2001 (the Bungalow was located in the land now occupied by the Pavilions development)

4.14 Various historic decisions pertaining to the sports club use.

5. CONSULTATION

External

5.1 21-day site notice procedure and individual letters to neighbouring occupiers.

5.2 1 comment received from the Wimbledon Swift Group. They neither support nor oppose the application but wish to raise awareness of declining local swifts and how the building project presents a golden opportunity to help local swifts through the inclusion of artificial nest sites (i.e. swift bricks or boxes) into the new construction.

5.3 Objections have been received from 66 address points (100 individuals). Concerns raised summarised below:

Consultation and planning process

- The proposal is being slipped through the system while the country is in national lockdown, concerned residents could not hold meetings/gather to discuss the proposal;
- Neither the developer nor the borough have directly informed the household about the proposals;
- The developer is attempting to create additions (12 new apartments) asserting that planning permission is not required. This cannot be correct and cannot be within the spirit of what recent changes to legislation are intended to achieve;
- The failure of the developer to engage with local residents and the insensitive nature of their proposals suggest they are out of step with the real needs of local residents, solely interested in lining their pockets.

Character and appearance

- Negative impact on the development, the Pavilions were intentionally designed as a trio of sibling buildings with the same height. significant alteration to one building would comprise the entire development;
- We all have a responsibility to preserve the character of Raynes Park, as a liveable, breathable suburb. That means not allowing the prevailing low-rise design of Raynes Park buildings to be compromised;
- Protect human scale in residential architecture;
- Too large and fail to respect the surrounding neighbours;
- Dwarf the neighbouring buildings;
- Look out of place and not blend with neighbourhood;
- Adding further storeys would take away the development's symmetry;
- Existing properties are already visually obtrusive, adding a further 2 storeys would increase visual impact and is unacceptable;

- Cladding will reflect sun and will not be in keeping with the existing brick construction – reflected light from metal roofing could have negative impact on neighbouring buildings, residents and the A3;
- Visually an eyesore;
- The scheme would not enhance the overall design quality of the borough. The current buildings are built from a hideous diarrhoea yellow atypical to the whole of London, let alone Merton – its original approval demonstrates a total lack of respect for quality buildings and basic good design aesthetic. The local area is typified by a red brindle brick, so the addition of yet more awful brick would not respect the local environment;
- Proposed eaves are of poor design, heavy, overhanging, cumbersome fascia board. The Planning department should not add insult to injury in allowing any extension to this unattractive building;
- In 2009, prior to the construction of a block, an application to add an additional 5th floor was rejected by the Council due to: height, bulk, orientation and design (09/P1391). While the law has changed regarding permitted development rights, the Council's position on these core views have not. 2 further storeys will cause greater harm;
- The scheme detrimentally affects the skyline of adjacent properties and the local area;
- The visible skyline for properties in Fairway will be drastically reduced to an intolerable level, the sky will not be visible above the proposed scheme when stood by the windows;
- No attempt to disguise the apparent height of the extension;
- Scheme does not emphasise a point of civic or visual significance, or a centre of urban activity or regeneration;
- Scheme not of outstanding architectural merit, in fact has zero architectural merit whether considered from a traditional, Modernist or contemporary perspective;
- No similar high rise developments (6 storeys) in the area;
- Existing development has a balance of open space verses built up area;
- Developer is not allowed to have visible pipework structures externally. Only way to run pipework would be through the existing top floor flats, which will not be granted, so the pipework would have to run externally – this would not be covered by permitted development rights;
- The proposal runs contrary to Merton's design policies for Tall Buildings (Tall Buildings Background Paper 2010);
- Scheme would be in direct contradiction to Policy CS14-c and CS14-d.

Condition of existing structure /flooding issues

- State of pavement within the development is a clear indicator of the presence of water underneath the ground;
- Entire area is in a flood plain and adding significant weight and bulk to the foundation of the building, intended for a low-rise building, is patently irresponsible;
- Proposed development will be at the upper levels so shall not be affected by surface water flooding, however, access/egress could be affected by flooding of up to between 300mm and 600mm;
- Existing building sways in high winds and sensitive to heavy arterial traffic;
- Can hear footsteps between the floors of the existing flats.

Impact on neighbouring occupiers and amenity

- Suffer needlessly from inevitable noise pollution (harmful to children and elderly people), dust, dirt, the bottlenecks of vehicles and the barrage of workmen;

- Proposed timescale of 18 months for construction would disrupt existing residents;
- Amount of noise and disruption during construction will be detrimental to productivity as well as mental health;
- Will not be able to open windows during construction due to air pollution;
- Construction will not only impact flats 17-40 but also those in the adjacent site, town houses and users of the common areas;
- Elderly residents would be distressed and disturbed by the process;
- Residents in the top floor flats deliberately purchased these units, they would not wish further noise above;
- Block sunlight into neighbouring gardens & flats;
- Overshadow nearby trees;
- Loss of privacy and overlooking into neighbouring flats;
- Imposing height of the planned floors will mean a material impact to the loss of natural daylight within the amphitheatrical and intimate design of the site;
- This is a quiet, peaceful and pleasant block of flats. The quiet is extremely important, how would this be maintained with another 12 flats in the same building? ;
- Amenity of existing building will be reduced as the common areas, car parking and limited open green space will be more crowded;
- Impact of construction should be taken into account after lockdown orders over the past year – need to work from home and residents looking to enjoy their outdoor space for mental health;
- Not safe to have construction workers on site, how will social distancing take place and sanitisation of communal areas;
- Residents paid extra for the privilege of the top floor flat in order to secure a quieter and more secure environment;
- Any restriction of use of the outdoor common area would be entirely unacceptable during a period of lockdown;
- If it is taken 2 occupants for each [new] bedroom, the development would add 44 residents. The site simply does not have the capacity to absorb that level of extra persons on site;
- Proposed location for bike stores will be intrusive to the ground floor flats in the building, will increase noise and congestion;
- Request of method statement as to how the new floors shall be constructed –e.g. use of cranes, management of dust/mess, timescale, hours?

<u>Impact on surrounding area/environment</u>

- Negative impact on the local amenities, e.g. NHS surgery, train station, utilities, sewers, waste collection, dentists, already under significant pressure from the ever-increasing influx of residents. Proposed development would exacerbate this;
- Development will be contrary to the Council's commitment to reduce harmful effects on the environment. Occupants of additional flats will be subject to harmful emissions from traffic on Bushey Road. Merton already has dangerous levels of PM2.5.

<u>Parking and traffic</u>

- An increased flow of traffic, development would add to the congestion –within the development and surrounding streets;
- All the houses have small driveways with only just enough room for parking a car and off-loading shopping;

- Big vans and delivery trucks often park on the kerb blocking driveways, this existing access is a nuisance and causes challenge to kids and elderly people towards the corner of this development;
- Children are often warned about delivery vans. We live in a close not a through road. Family's safety and security is of prime importance;
- Fairway is so congested as it is. 12 additional households using the road is too much strain for the existing households who are already under strain because of noise and car exhaust pollution;
- 12 additional flats will mean around 24% increase in traffic movements;
- Proposed plans omit the proposed location for car parking and cycle parking;
- Only 2 parking spaces for visitors, not enough room for added visitors;
- How would keyworkers [residents] be able to exit the site with increased congestion?

Standard of accommodation - internal and external

- Some of the proposed bedrooms fall very close to the minimum size require for habitable rooms under the Housing Act 1985. This leads me to believe the additional floors and spaces are being designed with a view to maximise profit rather than providing reasonable accommodation;
- The proposal would reduce the available green space, turning it into parking spaces. Flats and townhouses that overlook this green area will in future have a view of a parking lot, great loss to the community and not in keeping with council policy to maintain greenspaces;
- Existing communal spaces are precious for children to play outside;
- The green space is regularly used by the residents (children and adults).

Others

- The only 'improvement' that has been proposed as a form of compensation is a bike shed. Do not know anyone in the development who owns a bike so this is a pointless and unnecessary addition;
- Detrimental impact on the property value of existing properties;
- Owners and landlords of top floor flats will see the value of their investment decrease, tenants will no longer be paying a premium for the coveted 'top floor' flat;
- Overpopulated area with considerable housing being developed into flats;
- Lack of details on cladding, may be a fire risk;
- There is only a very small wooden/timber frame lift which is out of action, the strain of additional flats would not be sufficient;
- Assume lift would be out of use for a substantial period during the development. Being deprived of the use of a working lift would constitute discrimination against those with disabilities;
- Staircase is narrow, should there be a fire up to 40 people could be trying to escape safely, not to mention with firemen simultaneously trying to gain entry;
- Additional flats will mean more waste and an increased risk of pest infestations;
- There is an adequate supply of homes in the area;
- Height in daylight and sunlight report looks to contradict that stated in the application form.

5.4 Thames Water – no objections raised. Conditions and informatives to be included in the event of the application being granted.

5.5 Environment Agency – The development is an existing residential development, the additional residences are to be situated from level 5. There is no increase to the footprint and no off site flood risk implications, therefore we don't have any objection.

5.6 The scheme was amended and a 14 day re-consultation carried out 20/05/2021, objections were received from 21 address points (34 individuals). Many comments reiterated the concerns initially put forward (above), summary of new concerns raised below:

- The character of the area will not be helped by such tall buildings which are more suitable to a town centre location;
- Increase of traffic short and long term to the proposed development and surrounding roads;
- Recent press coverage on damage to flats following upward extensions under PD legislation;
- How is it possible to carry out construction works as the building is occupied with families and children;
- The block of flats next to the building is owned by the Notting Hill Trust with some residents who are blind, having to navigate the a construction site is likely to be very dangerous for them;
- No planned extension of bin store;
- The developer we are dealing with operates through several different companies. Cannot find any documentation showing they have a track record in property development. Do not want to find ourselves in a similar position to the residents of Apex Court [West Ealing, an example of a similar extension carried out];
- All leaseholders may take legal action due to Section 5 breach. The leaseholders wish to purchase the freehold of the Building. It appears that this planning application was made without this knowledge. Highly possible if this goes ahead the planning will not be approved by Court of Law;
- Loss of green space will be yet another reduction in water capture into the soil.

Internal

5.7 LBM Transport –

Access: Pedestrian and vehicular access to the site will be maintained as per the existing arrangement via Greenview Drive which is a private road.
Fairway, from which access to Greenview Drive is taken, is a residential road and has areas of unrestricted on-street parking on the eastern side of the carriageway and double yellow line parking restrictions on the western side of the carriageway.
The site is located approximately 550m walk south west of Raynes Park Train Station.

Existing parking: Two parking courts serve the four buildings down Greenview Drive.

Proposed car parking: 12 additional car parking spaces are provided for 12 residential units which exceeds the new London Plan standards (includes one disabled space).

Cycle Parking: The proposal provides 22 long-stay cycle parking spaces and 2 short stay cycle parking spaces in accordance with the new London Plan standards.

Servicing and Refuse: The servicing and refuse strategy will remain as existing.

Recommendation: The proposal is unlikely have significant impact on the surrounding highway network. The proposed development is on private land serving off a private drive. Parking allocation and its management is undertaken by a management company and LBM take no responsibility to its allocation of parking or maintenance.

5.8 LBM Environmental Health (Contamination) – The proposal seeks to add extra floors on top of an already, four storey approval. Because of the addition at height, over several floors of living-space, from the perspective of contaminated-land no objections are raised.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)
Section 5 – Delivering a sufficient supply of homes
Section 9 – Promoting sustainable transport
Section 11 – Making effective use of land
Section 12 – Achieving well-designed places
Section 14 – Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan (2021)
Relevant policies include:
D1 London's form, character and capacity for growth
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D11 Safety, security and resilience to emergency
D12 Fire safety
D13 Agent of Change
D14 Noise
H1 Increasing housing supply
H2 Small sites
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 13 Sustainable drainage
T1 Strategic approach to transport
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

6.3 Merton Local Development Framework Core Strategy (2011)
Relevant policies include:
CS 8 Housing choice
CS 9 Housing provision
CS 14 Design
CS 15 Climate change
CS 17 Waste management

CS 18 Transport
CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)
Relevant policies include:
DM D1 Urban design and the public realm
DM D2 Design considerations
DM D3 Alterations and extensions to existing buildings
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to the Road Network

6.5 Supplementary planning considerations
London Housing SPG 2016
Technical Housing standards – nationally described space standards

7. PLANNING CONSIDERATIONS

7.1 This is an application under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020, Part 20, Class A: Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats.

7.2 At the time of the application being submitted, the only issues that can form material considerations are as follows:

Conditions
A.2

(a) transport and highways impacts of the development;
(b) air traffic and defence asset impacts of the development;
(c) contamination risks in relation to the building;
(d) flooding risks in relation to the building;
(e) the external appearance of the building;
(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;
(h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State, and
(i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building.

7.3 Key Issues for consideration

7.3.1 Below is an assessment of the considerations against the qualifying criteria in A.1 of Class A, Part 20 of the regulations.

7.3.2 Development is not permitted by A.1 of Class A if –

(a) the permission to use any building as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule;
(b) above ground level, the building is less than 3 storeys in height;
(c) the building was constructed before 1st July 1948, or after 5th March 2018;
(d) the additional storeys are constructed other than on the principal part of the building;
(e) the floor to ceiling height of any additional storey, measured internally, would exceed the lower of –
(i) 3 metres; or
(ii) the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;
(f) the new dwellinghouses are not flats;
(g) the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);
(h) the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;
(i) development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;
(j) development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—
(i) strengthen existing walls;
(ii)strengthen existing foundations; or
(iii) install or replace water, drainage, electricity, gas or other services;
(k) in the case of Class A.(b) development there is no existing plant on the building;
(l) in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the building;
(m) development under Class A.(c) would extend beyond the curtilage of the existing building;
(n) development under Class A.(d) would—
(i) extend beyond the curtilage of the existing building;
(ii) be situated on land forward of a wall forming the principal elevation of the existing building; or
(iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;
(o) the land or site on which the building is located, is or forms part of—
(i) article 2(3) land;
(ii) a site of special scientific interest;
(iii) a listed building or land within its curtilage;
(iv) a scheduled monument or land within its curtilage;
(v) a safety hazard area;
(vi) a military explosives storage area; or
(vii) land within 3 kilometres of the perimeter of an aerodrome.

7.3.3 Officers can confirm that the site/building is not or does not fall within any of the criteria set out in parts (a) to (o).

7.3.4 Section A.2 confirms that development is permitted subject to the condition that before beginning the development, the development must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

7.4 A.2 condition (a) transport and highways impacts of the development:

7.4.1 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. Core Strategy promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking.

7.4.2 The application is accompanied by a Transport Technical Note from Vectos, which concludes:

"Overall, the proposed development will result in a minimal number of additional trips on the local transport network. In light of this, the impact of the development proposals is not considered material or severe".

7.4.3 The originally submitted scheme provided a 1 to 1 car parking provision on site (12 new units and 12 new parking spaces). The amendment of the proposal reduces the number of units by 2, the parking provision would remain suitable for this reduced offer.

7.4.4 The Councils Transport officer has reviewed the application and considers that the proposal would unlikely have significant impact on the surrounding highway network. Further, as Greenview Drive is a private road, parking allocation and its management is undertaken by a management company rather than the Council.

7.4.5 In terms of cycle parking, London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. In accordance with Table 10.2, residential dwellings should provide 1 space per studio/1 person 1 bedroom dwelling, 1.5 spaces per 2 person 1 bedroom dwelling and 2 spaces per all other dwellings.

7.4.6 The number and mix of units would require 19 cycle spaces. The proposal provides 22 long-stay cycle parking spaces and 2 short stay cycle parking spaces which would comfortably accord with the London Plan standards.

7.4.7 The representations have commented that they "do not know anyone in the development who owns a bike so this is a pointless and unnecessary addition". However, cycle storage is required for all new developments and its provision is supported by officers as it would help to promote the use of a more sustainable mode of transport, helping to alleviate congestion, contribute towards climate change, air quality targets and improve health and wellbeing through increased levels of physical activity.

7.4.8 In terms of waste storage, 4x 1100L bins have been provided for refuse and recycling. This is considered an acceptable provision and would be suitably located adjacent to the existing refuse area onsite.

7.5 A.2 condition (b) air traffic and defence asset impacts of the development:

7.5.1 The site is circa 15km from Heathrow, circa 27km from Gatwick and circa 20km from Biggin Hill Airport. There are no defence assets near to the site that would be impacted by the proposal.

7.6 A.2 condition (c) contamination risks in relation to the building:

7.6.1 The site is already in residential use and the development does not propose to penetrate the ground.

7.6.2 The Council's Environmental Health officer has been consulted and notes that the proposal seeks to add extra floors on top of an existing building. Given the additional storeys are to be provided at roof level over several floors of existing living-space, from the perspective of contaminated-land, no objections were raised.

7.7 A.2 condition (d) flooding risks in relation to the building:

7.7.1 London Plan policies SI 12 and SI 13, Core Strategy Policy CS16 and SPP policies DM F1 and DM F2 seek to ensure that the flood risk is minimised and mitigated for residents and the environment, and promotes the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.7.2 As set out in Procedure (6) for prior approval applications made under Part 20: Where the application relates to prior approval as to the flooding risks on the site, on receipt of the application, the local planning authority must consult the Environment Agency where the development is (a) in an area within Flood Zone 2 or Flood Zone 3.

7.7.3 The site lies within Flood Zone 2 and 3.

7.7.4 The application is accompanied by a Flood Risk Assessment from Ambiental, which concludes:

"The proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures) can be maintained for the lifetime of the development".

7.7.5 12 car parking spaces are to be created by expanding the eastern parking court resulting in the loss of some grassed area at the centre. The submitted Flood Risk Assessment has recognised this loss but explains:

"The proposed development is located on a developed site, so there is existing drainage infrastructure on site. Site-specific sewer asset plans provided by Thames Water demonstrate that there is an existing combined sewer which passes through the site and beneath the existing building. Given that there is no watercourse located on or near the site, in line with the SuDS hierarchy, surface water runoff from the additional car parking area will be discharged to the existing combined sewer".

7.7.5 The Environment Agency has also been consulted on the proposals, and following review of the scheme raises no objections.

7.7.6 Overall, no concerns are raised in relation to flood risk.

7.8 A.2 condition (e) the external appearance of the building:

7.8.1 The NPPF states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should ensure that they are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).

7.8.2 Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment. Policy DM D2 of Merton's SPP requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

7.8.3 It is noted from the Planning history of the site that an application was refused in 2010 for an additional fifth storey, planning ref 09/P1391. Reason: **The proposed development, by reason of its height, bulk, orientation and design would - (a) be too large for the site and would fail to respect the scale and height of (proposed) surrounding buildings.**

7.8.4 The appeal against the Council's refusal was also dismissed, Appeal ref APP/T5720/A/10/2122715, where the Inspector concluded that: "the proposed development would cause significant harm to the character and appearance of the area".

7.8.5 The Inspector's decision does form a material planning consideration in the assessment of the appearance of the proposed development in this prior approval submission. Acknowledging this refusal, officers have worked with the applicant to revise and reduce the scale of the extension proposal.

7.8.6 The originally submitted scheme displayed a two storey roof extension, entirely metal clad, and finishing flush with the existing elevations of the building. This was seen to be unduly prominent and bulky additions which unnecessarily accentuated the height of the building. The amended proposals have provided a significantly recessed fifth floor level. Whilst officers note this is altogether taller than the previously refused scheme, in introducing a recessed design, this helps draw the viewer up to a declining apex rather than simply extruding the existing form straight up to crown the building with top-heavy 'blocks' – like the previously refused scheme.

7.8.7 This is not so dissimilar to the design approach of the roof element at Malden Court (further west along Bushey Road) which displays a setback roof level (third floor) with obscure screen balustrade surrounds and a contrasting finishing material to distinguish itself.

7.8.8 In relation to the buildings immediately north and south, within the Pavilions, the height increase introduces a more distinct transition of scale within the development but not one which would be viewed as overpowering. With the building being positioned toward the rear/eastern end of the development, facing the main road and open space, its increased height marks it as a suitable 'corner' building. The amended proposals move away from introducing a uniform bulk, and tips the upper level further

from views so when approaching from within the buildings, Greenview Drive and Fairway, the metal clad roof element is predominantly masked.

7.8.9 Views of the proposed roof extension would be visible from Bushey Road, but this is positioned on a higher ground level with a number of trees lining its northern boundary. So, the height of the building would not be considered unduly prominent and would be partially screened toward the main road and longer views away.

7.8.10 Overall, the amended scheme has suitably reduced the bulk and prominence of the roof level extension. The proposed design, orientation and layout of the roof levels would appropriately respond to the host building. As a matter of judgement officers consider that the proposals can be supported.

7.9 A.2 condition (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses:

7.9.1 The application is accompanied by a Daylight and Sunlight Report from eb7, which concludes:

"…the internal layout has also been informed by our input to ensure good amenity and high quality units. As roof extension proposals the additional units enjoy an open outlook and include the provision of multiple windows across the main living spaces such that internal amenity levels will remain high and will exceed the BRE targets.

Overall, the scheme proposals respond well to the neighbours maintaining good amenity levels to the neighbouring properties as well as providing high quality homes for future residents. The proposals are therefore wholly in line with the BRE guidelines and relevant planning policy".

7.9.2 The flats on the fourth floor level would be arranged in the same layout as the existing units on the lower levels, the location of windows and balconies would be consistent with those on the floors below.

7.9.3 The flats on the fifth floor level would be set back toward the south-eastern elevation, providing 2 less units than the floors below. The units farthest south and east would be provided with a roof terrace and window openings on all three of their elevations. Consequently, it is considered these units would be provided with a suitable level of outlook and light.

7.9.4 Overall, the proposed units would be provided with adequate natural light in all habitable rooms.

7.10 A.2 condition (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light:

7.10.1 Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.10.2 The Inspector's Report for the Appeal Decision of application 09/P1391 concluded in relation to neighbouring amenity for one additional storey:

"Turning to the effect of the proposed development on the living conditions at neighbouring properties, existing residential properties in Fairway are too far away to be directly affected by this proposal. There is likewise good visual separation in relation to the recently constructed adjacent block of flats to the north. Indeed, I consider that the only properties close enough to be materially affected are the town houses that have already been approved under the previous scheme.

I consider that there would be a limited degree of overlooking from windows in the block of flats down onto the adjacent town houses. However, in my opinion, this would not be materially different to the situation already accepted by the Council under the approved scheme. Indeed, it could be argued that the uppermost storeys of the building would tend to look out over the roofs of the townhouses, such that the greatest degree of overlooking arises from the windows in the middle storeys.

Be that as it may, I find that any limited overlooking that might arise would be within acceptable limits, bearing in mind the urban character of the environment, whereby complete freedom from overlooking and visual intrusion is rarely possible. Moreover, my observations indicate that the standards of privacy and amenity within the development would be broadly consistent with the general standards of the area. The moderate increase in height, compared with the approved development, is not sufficient to lead to any significant harm in relation to light and outlook.

I therefore conclude, on the second issue, that the proposed development would cause no significant harm to the living conditions at neighbouring properties".

7.10.3 The application is also accompanied by a Daylight and Sunlight Report from eb7, which concludes:

"The results of these tests [VSC, NSL, (daylight) and APSH (sunlight)] have shown that, whilst there will be some reductions to individual windows, the amount of daylight received within each of the neighbouring habitable rooms will remain very high and in excess of the BRE criteria.

In terms of sunlight levels, all neighbouring properties retain levels in line with the BRE criteria for APSH [Annual Probable Sunlight Hours]".

1 to 16 Greenview Drive

7.10.4 It is noted that some existing residents within the top floor flats of the adjacent block are able to view over the application building, and this view would be affected by the proposed rooftop extension. This impact has been carefully considered and whilst the loss of outlook is a material planning consideration, the loss of a view is not a material consideration which can be awarded weight in this assessment (other than issues relating to protected views which is addressed in para 7.11.1 of this report).

7.10.5 As set out in the Inspector's assessment, para 7.10.2, there is a good visual separation from the adjacent block of flats to the north. This separation remains the same within this application and it is not considered the addition of a recessed storey, one additional level to that assessed by the Inspector, would be substantially harmful toward flats 1-16's amenity which to warrant refusal.

17 to 40 Greenview Drive (existing occupiers in the application property)

7.10.6 The two storey extension would be sited immediately above the existing units, projecting no further forward of the building's front and rear elevations. So, it is not considered the roof extension would be highly visible when looking out from the

windows of the lower levels and would unlikely have an undue impact in terms of outlook or loss of privacy.

7.10.7 It is noted the existing balconies on the third floor level are currently open and would have a further balcony constructed above which would result in some loss of light and overshadowing. However, the proposed arrangement would replicate the existing layout on the other floors of the building and is not so uncommon in flatted developments. The impact would not result in a materially harmful impact on residential amenity that would warrant a refusal.

7.10.8 It is noted that a number of representations identify that the value of their existing top floor flats would decrease and the owners will "no longer be paying the premium for the coveted top floor flat". However, this is a material planning consideration and cannot be considered in the assessment of this extension proposal.

41-50 Greenview Drive (townhouses)

7.10.9 The additional rooftop flats would introduce further windows on its south-eastern elevation, facing toward the townhouses. However, the openings replicate the existing arrangement seen on the lower levels and as concluded by the Inspector: "there would be a limited degree of overlooking from windows in the block of flats down onto the adjacent town houses…this would not be materially different to the situation already accepted by the Council under the approved scheme". The new roof level flats would likely look onto/ over the roofs of the townhouses and the greatest degree of overlooking would likely be from the existing windows in the middle storeys. Therefore, it is considered the overlooking introduced by the proposals would be limited and within acceptable limits.

7.10.10 The height increase is not considered to be overbearing, with the fifth floor level significantly set back from its south-eastern elevation, therefore it is not considered to result in significant harm in relation to light and outlook toward the townhouses.

Fairway

7.10.11 The roof extension would not project further forward of the existing building lines and toward the south-east elevations would be sufficiently set back.

7.10.12 The Inspector concluded that the residential properties in Fairway are too far away to be directly affected by this proposal. The same conclusion is drawn within this application.

7.10.13 Overall, officers consider that whilst the new flats would be visible from the surrounding properties, the height increase would not result in a materially harmful and unacceptable impact in terms of outlook, overlooking, privacy and light.

7.11 <u>A.2 condition (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012 issued by the Secretary of State:</u>

7.11.1 These Directions relate protected vistas identified by the Mayor of London within the London View Management Framework SPG. The site does not fall within any of these views, therefore officers raise no concerns in relation to this matter.

7.12 A.2 condition (i) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building:

7.12.1 As set out in Procedure (2)(i) for prior approval applications made under Part 20: Where the application for prior approval relates to the requirement mentioned in paragraph A.2(1)(i) or AA.2(1)(k), a report from a chartered engineer or other competent professional confirming that the external wall construction of the existing building complies with paragraph B4(1) of Schedule 1 to the Building Regulations 2010.

7.12.2 The existing building is not more than 18 metres in height, therefore a report is not required as per Procedure (2)(i) above.

7.12 Response to other issues raised in objection letters

7.12.1 The majority of issues raised by objectors are addressed in the body of this report. However, in addition, the following comments are provided:

- The impact of the construction process itself cannot reasonably form a reason for refusal. However, the impacts can be minimised through the provision of a construction management plan which can be secured by way of condition;

- Property value does not form a criteria for assessment within the GPDO, nor is it a material planning consideration;

- The space standards of the proposed units do not form a criteria for assessment within this Schedule of the GPDO. It is noted that later amendments to the GPDO has included floorspace standards within Schedule 2, whereby permission can be refused if the gross internal floor area is less than 37sqm in size or any new dwellinghouse does not comply with the nationally described space standards. However, this requirement came into effect from 6th April 2021. As the prior approval was submitted and received by the Council well before this date, this development cannot be considered against this criteria.

- 12 additional car parking spaces are to be created by expanding the eastern parking court resulting in some loss of the central grassed area, the submitted Flood Risk Assessment has described the impact of this loss of permeable area (para 7.7.5). In terms of flood risk, no issues are raised. Representations have commented on how the grassed area is regularly used by residents and as a play area for children. Approximately 180sqm of the grassed area would be converted to provide the car parking spaces, retaining a reasonable c.775sqm. The central grassed area does not form a designated Open space – the original permissions 05/P2802 and 07/P3679 has already accepted the loss of part of the Alliance Sports Ground designed Open space for residential development. It is a pleasant grassed area which positively contributes to the green and open environment of the development and surrounding area, but its loss of some 18% in size is not considered to be materially harmful and detrimental to the “play space” enjoyed by residents – further noting all the units within the Pavilions benefit from private balcony areas and gardens

8. CONCLUSION

8.1 This type of prior approval application has been introduced by the government as part of a raft of measures to respond to housing needs and is part of the government's reform of the planning system to support and speed up the delivery of new homes.

8.2 A fundamental principle to the assessment of planning submissions is that each application must be considered on its merits. While at first sight proposals higher than the scheme refused some 11 years ago might lead an observer to conclude that this scheme too should be refused officers have explained how the massing of the proposals differs from the earlier scheme, that this new submission has itself been the subject of amendment, resulting in a more refined and attractive set of proposals and is now, in their judgement, capable of being supported.

8.3 The Council has a limited remit in terms of what elements can be considered in the decision making process for this prior approval type. Officers have assessed the upwards extension scheme strictly against the criteria and conditions set out in A.1 and A.2 of Class A, Part 20. For the reasons set out above in this report, it is concluded that the proposal would comply with conditions (a) to (i). The two storey roof extension would not present an overbearing addition to the existing flatted block nor cause significant harm to the amenity of neighbouring properties.

RECOMMENDATION:

Grant prior approval subject to the attachment of the following conditions:

1. Commencement of Development – The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

2. A7 Development in accordance with Approved plans

3. The facing materials to be used for the development hereby permitted shall be those specified in the approved drawings, and the materials to "match existing" shall match those of the existing building in materials, style, colour, texture and, in the case of brickwork, bonding, coursing and pointing unless otherwise agreed in writing by the Local Planning Authority.

4. C07 Refuse & Recycling – Details to be submitted prior to occupation

5. C08 No Use of Flat Roof – Other than the areas annotated as "Terrace" on the approved plans, access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and these other flat roof areas shall not be used as a roof garden, terrace, patio or similar amenity area.

6. C09 Balcony/Terrace – Screening details to be provided prior to occupation

7. H07 Cycle Parking – Details to be submitted prior to occupation

8. H09 Construction Vehicles – The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

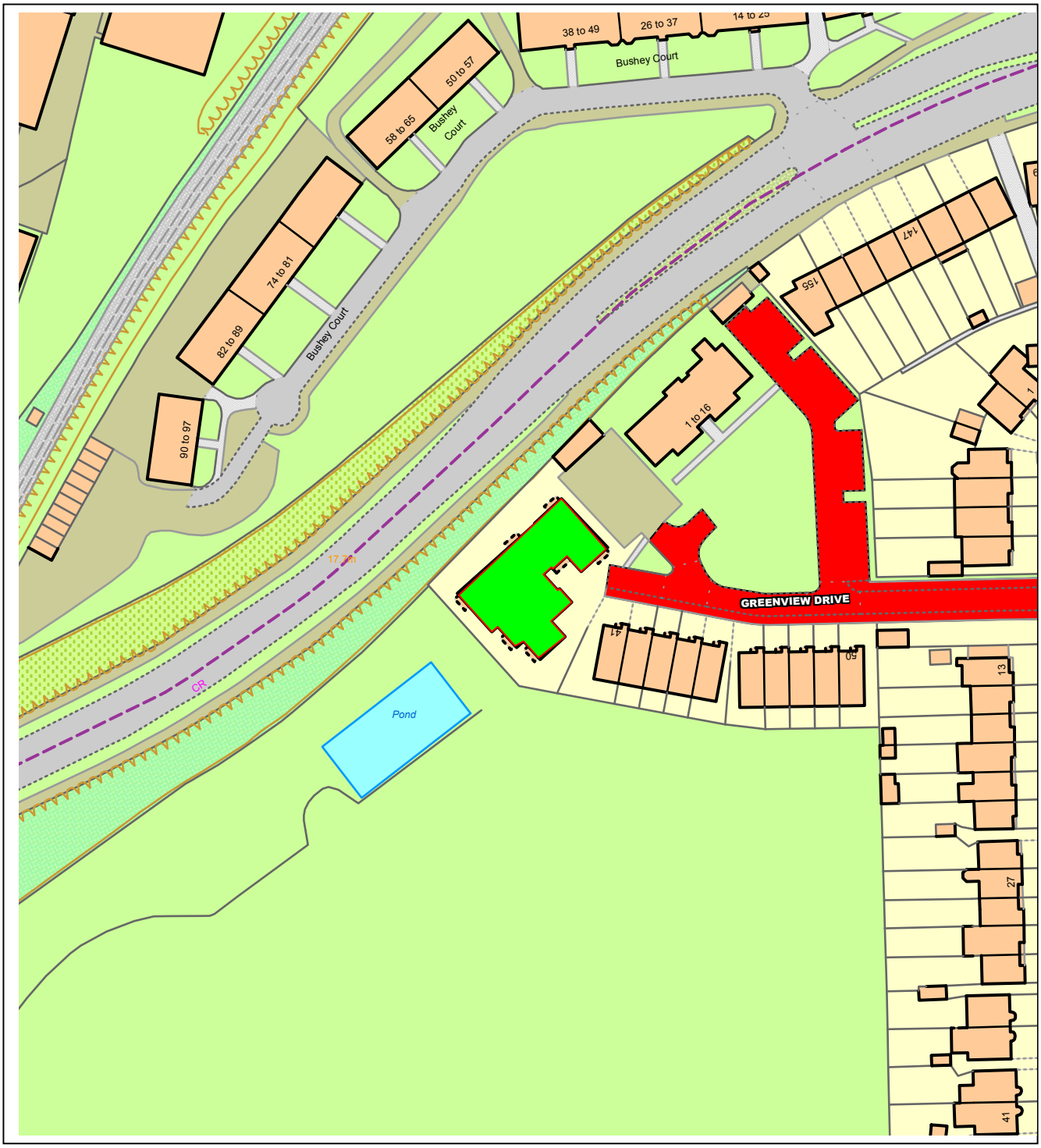
9. Construction Management Plan – Prior to the commencement of the development hereby permitted, a Construction Management Plan, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

10. Non-standard condition (Thames Water): No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement. Reason: The proposed works will be close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact/cause failure of local underground sewerage utility infrastructure.

Informatives:

1. Thames Water Informative: Please read 'working near our assets' guide to ensure your workings will be in line with necessary processes you need to follow if you're considering above or near our pipes or other structures. Should you require further information please contact Thames Water. Email: developer.services@thameswater.co.uk. Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm). Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire, RG1 8DB.
2. A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquires should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk. Please refer to the Wholesale; Business customers; Groundwater discharges section.
3. If you are planning on using mains water for construction purposes, it is important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.
4. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

NORTHGATE SE GIS Print Template



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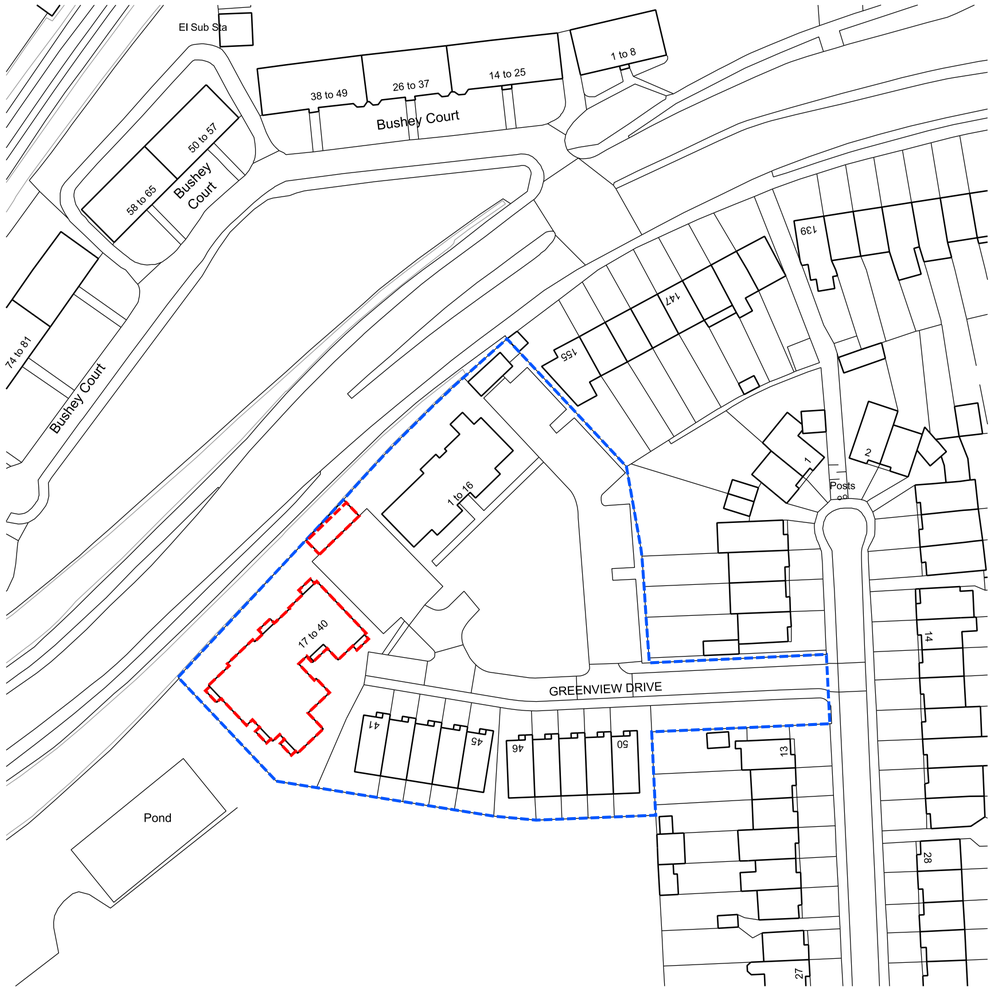

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2021-01-20 A PD Submission
Revision Date Description

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Project
The Pavilions
No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title
Location Plan

Drawing Number	Revision
WP-0748-A-0000-P-00	A
Scale @ A3	**Revision Date**
1:1250	2021-01-20

Drawing Purpose
DRAFT

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6 Putney Common, SW15 1HL

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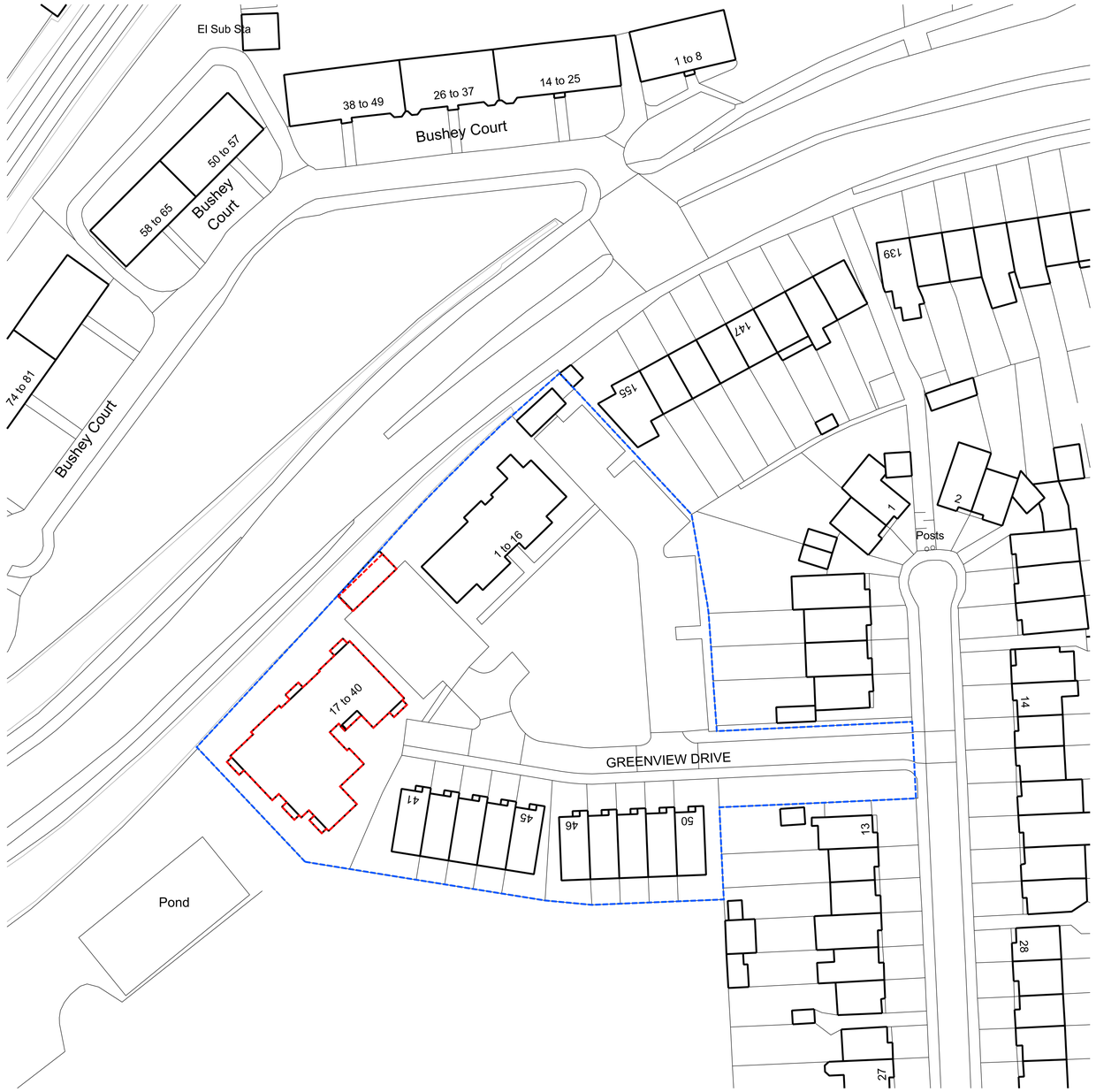

0 5m 10m 20m 30m

N

Revision	Date	Description
A	2021-01-20	PD Submission

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Project

The Pavilions

No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title

Block Plan

Drawing Number	Revision
WP-0748-A-0001-P-00	A
Scale @ A1 / A3	**Revision Date**
1:500 / 1000	2021-01-20

Drawing Purpose

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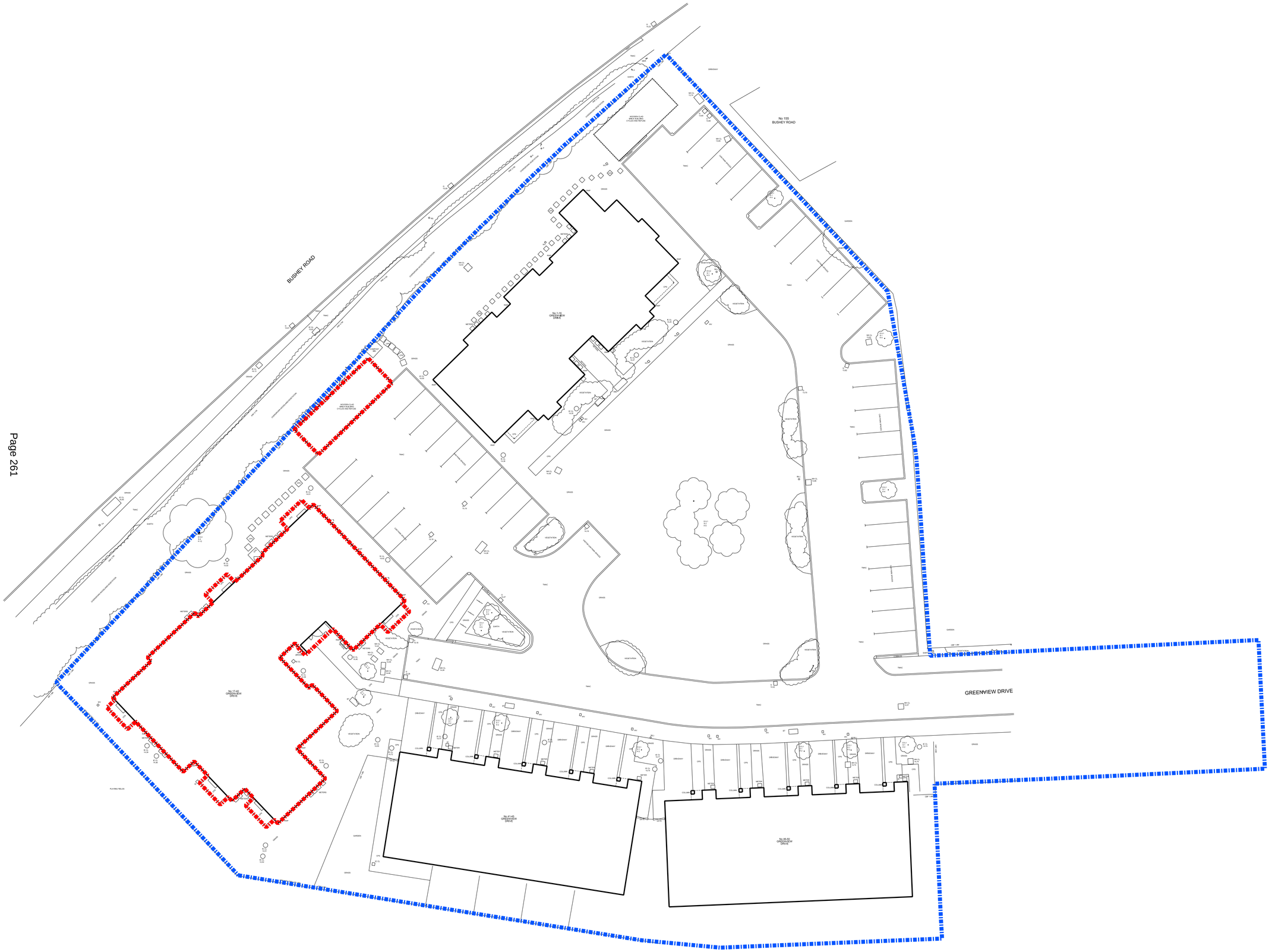

0 1m 5m 10m

N

Revision	Date	Description
A	2021-01-20	PD Submission

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Project

The Pavilions

No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title

Site Plan Existing

Drawing Number	Revision
WP-0748-A-0002-P-00	A
Scale @ A1 / A3	**Revision Date**
1:200 / 400	2021-01-20

Drawing Purpose

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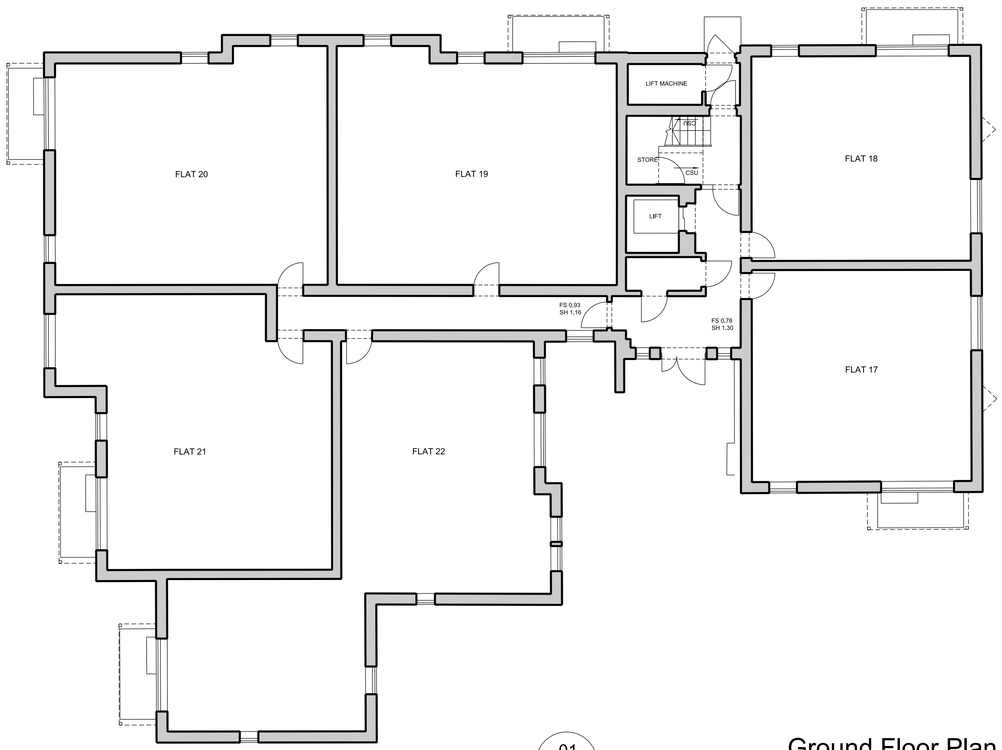
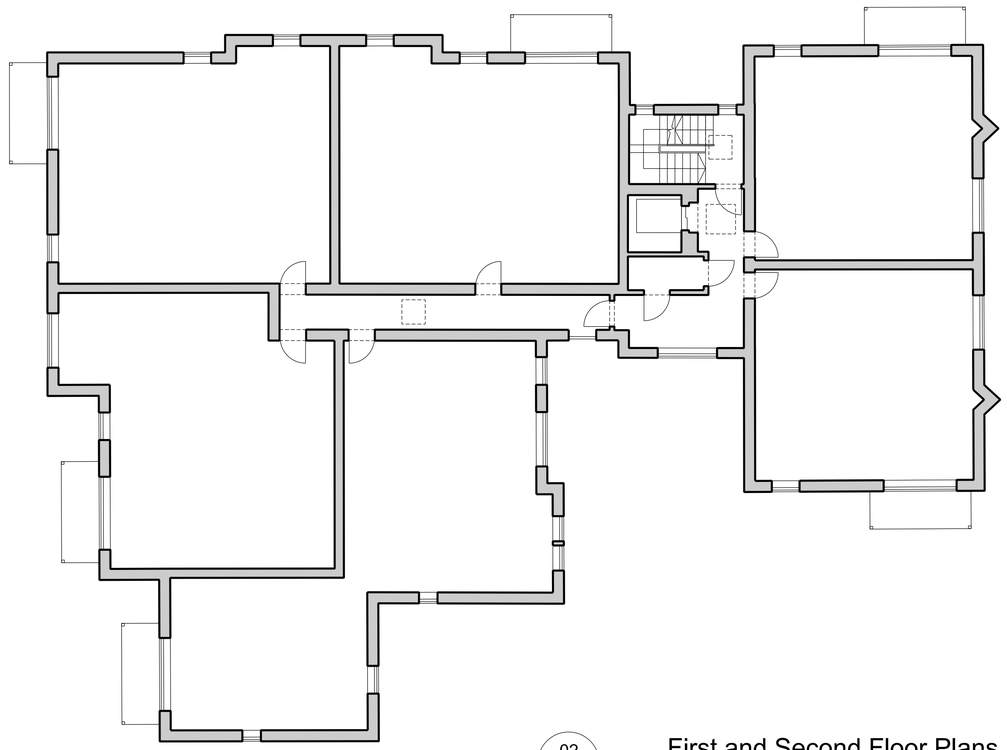
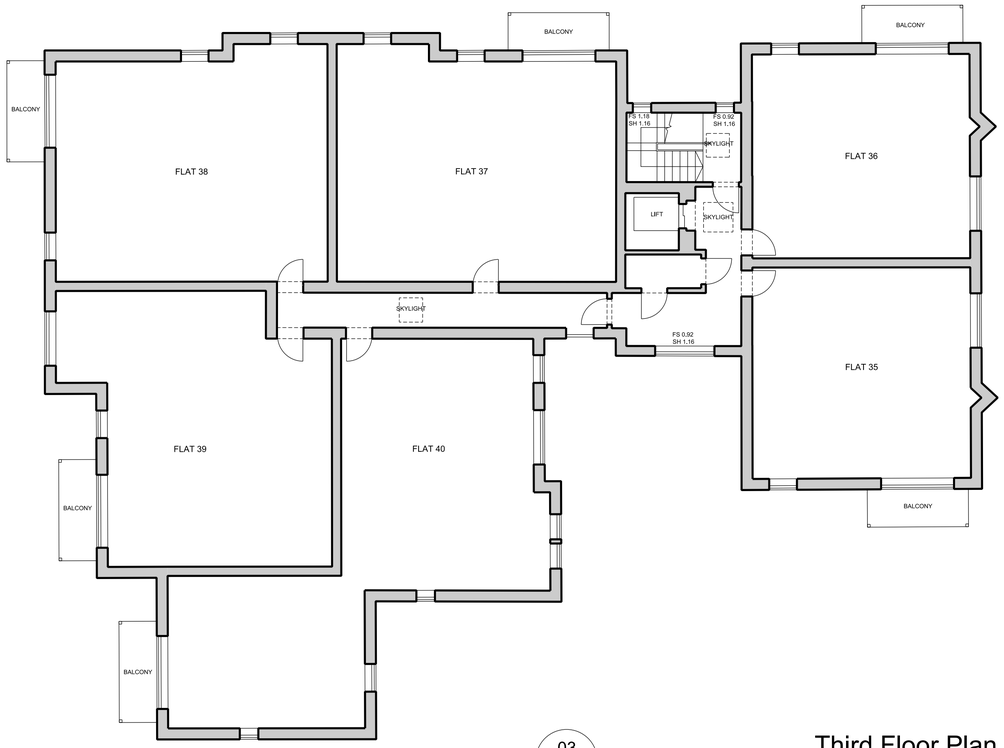


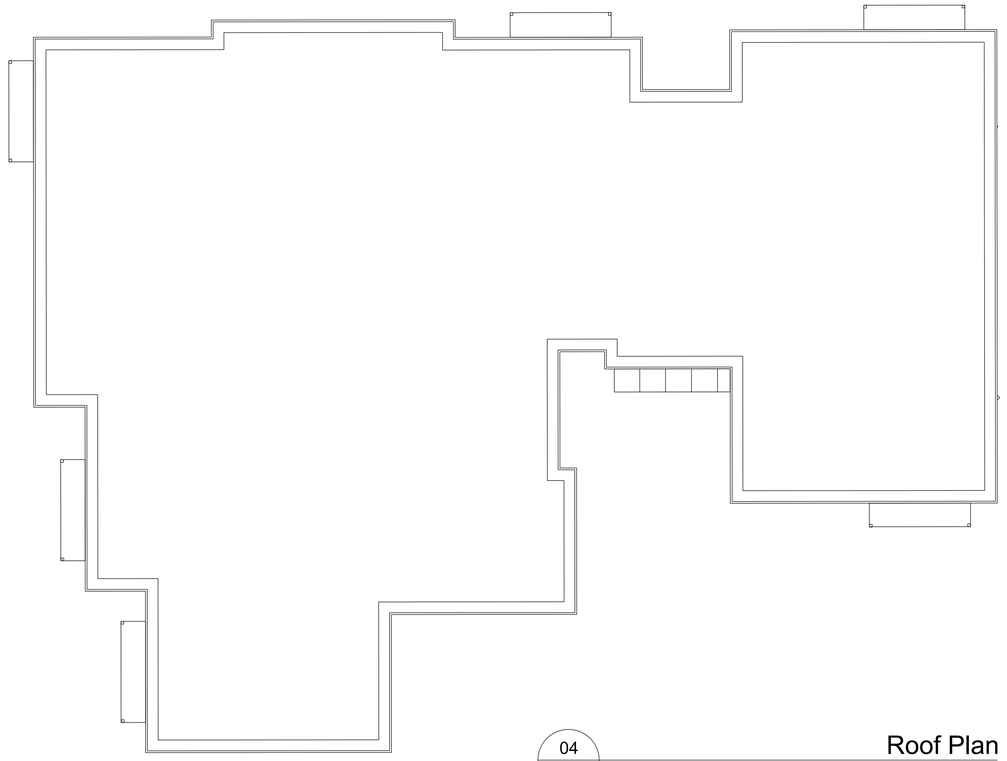
01 / 0010 — Ground Floor Plan — Existing — 1:100@A1



02 / 0010 — First and Second Floor Plans — Existing — 1:100@A1



03 / 0010 — Third Floor Plan — Existing — 1:100@A1



04 / 0010 — Roof Plan — Existing — 1:100@A1

0 1m 2m 5m

N

Revision	Date	Description
A	2021-01-20	PD Submission

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Project
The Pavilions
No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title
Floor Plans
Existing

Drawing Number	Revision
WP-0748-A-0010-P-00	A
Scale @ A1 / A3	**Revision Date**
1:100 / 200	2021-01-20

Drawing Purpose
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01 0020 Existing

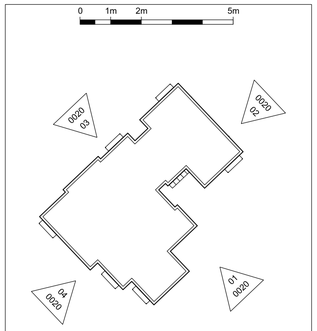
Elevation 1

1:100@A1

02 0020 Existing

Elevation 2

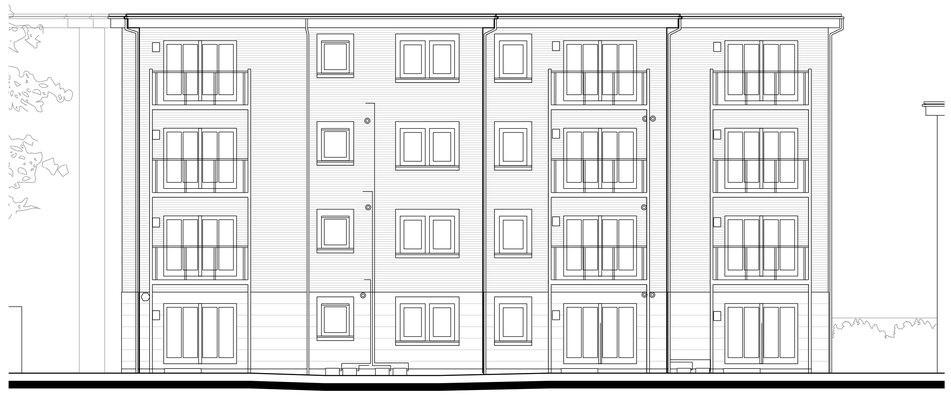
1:100@A1



03 0020 Existing

Elevation 3

1:100@A1



04 0020 Existing

Elevation 4

1:100@A1

Revision	Date	Description
A	2021-01-20	PD Submission

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Project

The Pavilions

No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title

Elevations
Existing

Drawing Number	Revision
WP-0748-A-0020-E-XX	A
Scale @ A1 / A3	**Revision Date**
1:100 / 200	2021-01-20

Drawing Purpose

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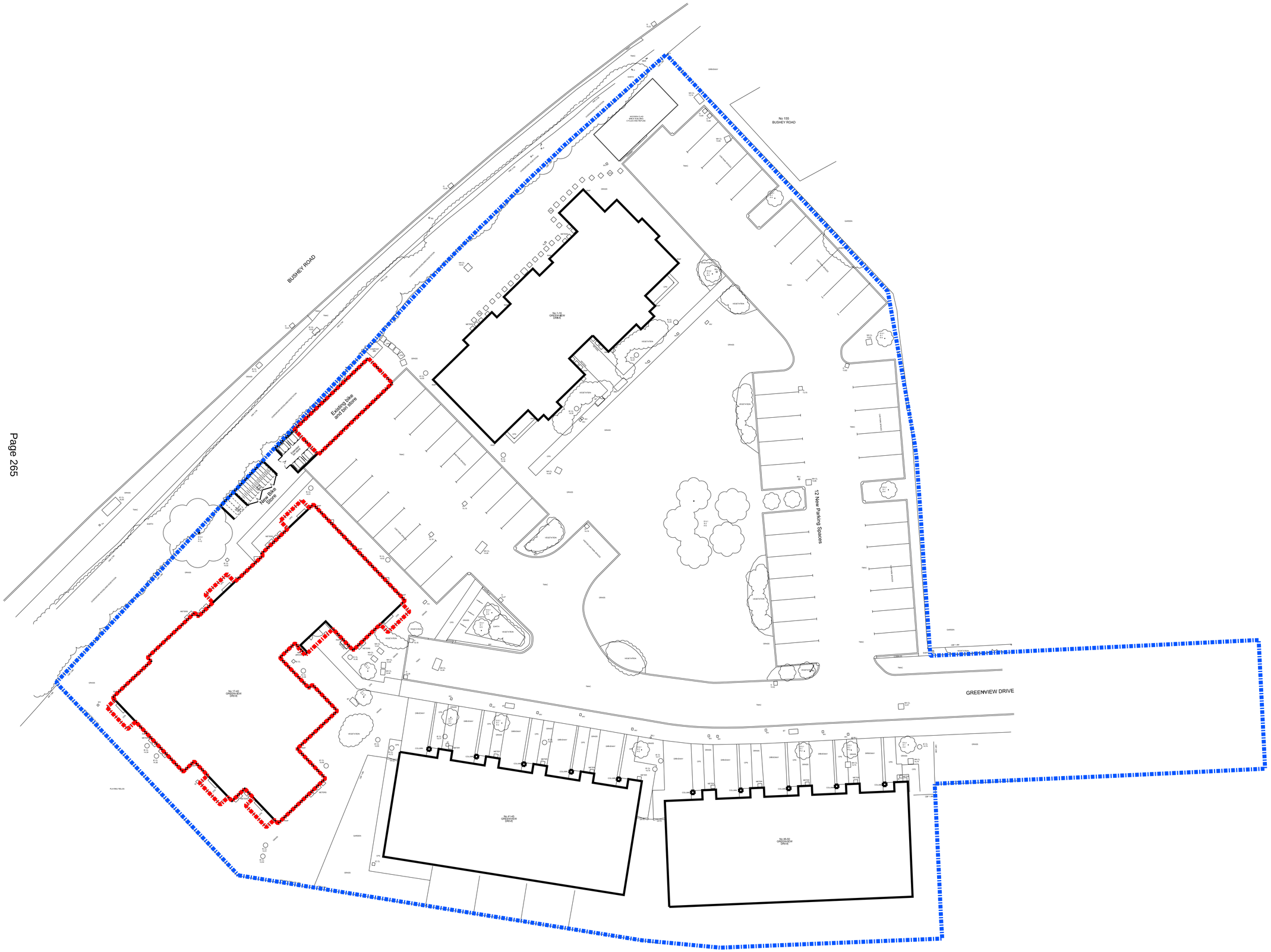

Local Requirements

Cycle Parking
New London Plan

1.5 per 1B2P
2 per 2B+

22 additional long stay spaces
Plus 2 short stay spaces
24 Total

Waste Storage
Merton Requirements

Recyling 120L per unit
Refuse120L per unit
2880L additional total
4 x 1100L additional bins

Parking
1 per unit
12 additional spaces

Revision	Date	Description
A	2021-01-20	PD Submission

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Project
The Pavilions
No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title
Site Plan
Proposed

Drawing Number WP-0748-A-0050-P-00

Revision

Scale @ A1 / A3 1:200 / 400

Revision Date

Drawing Purpose
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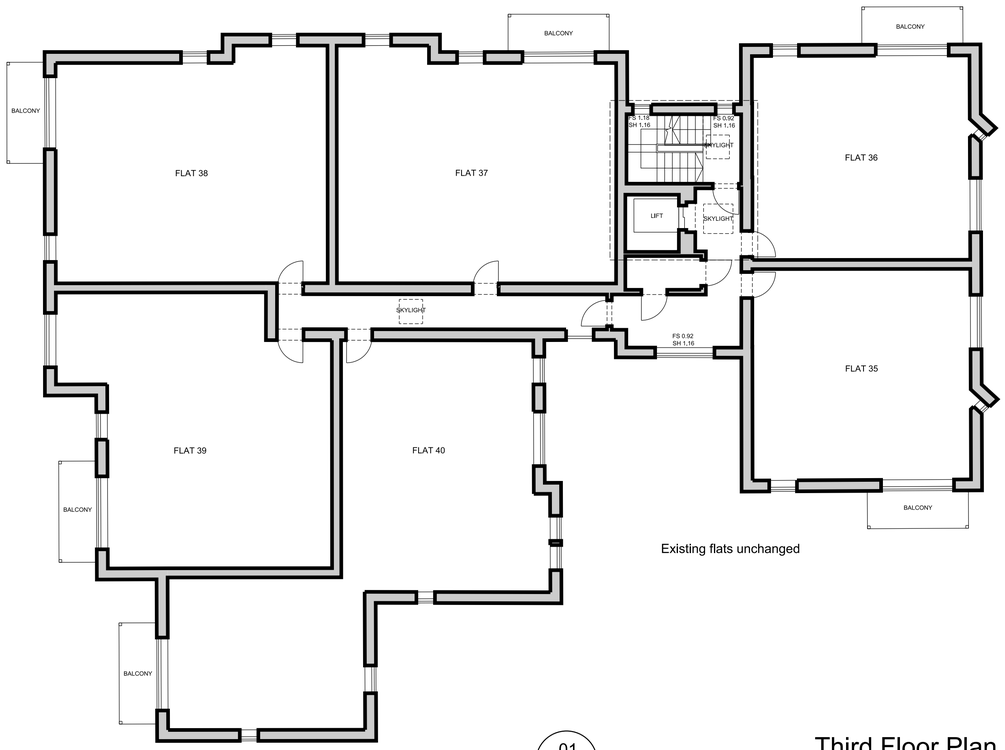
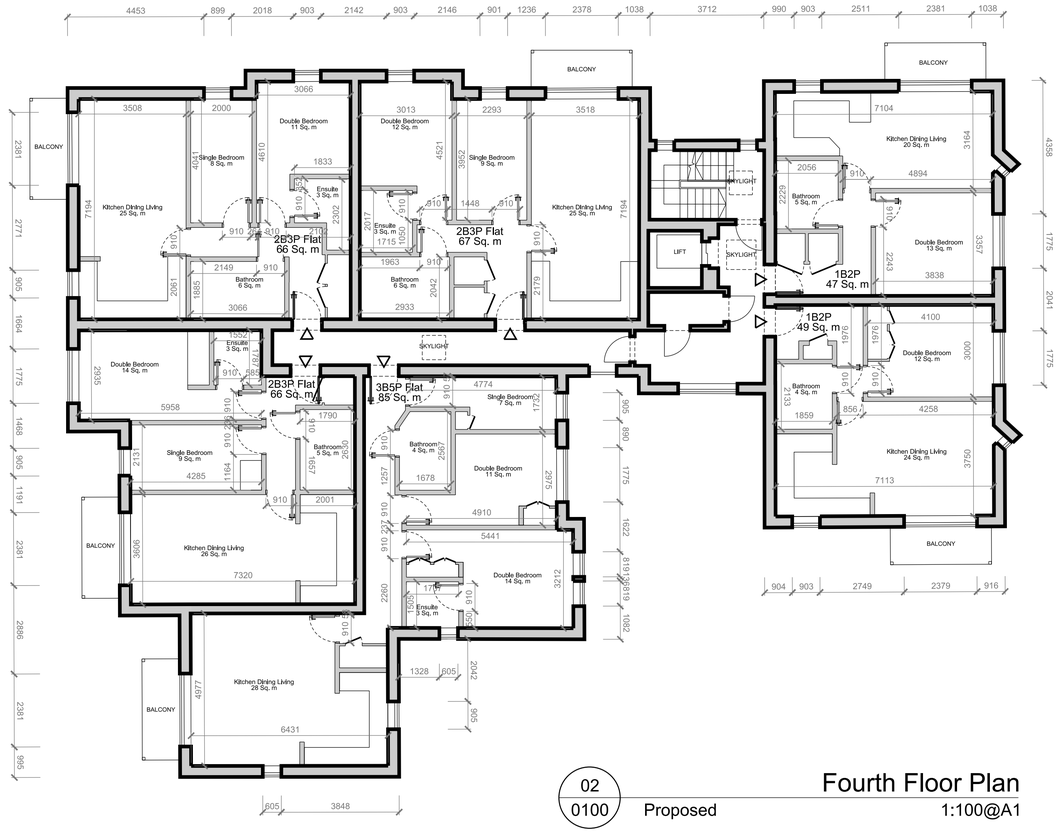
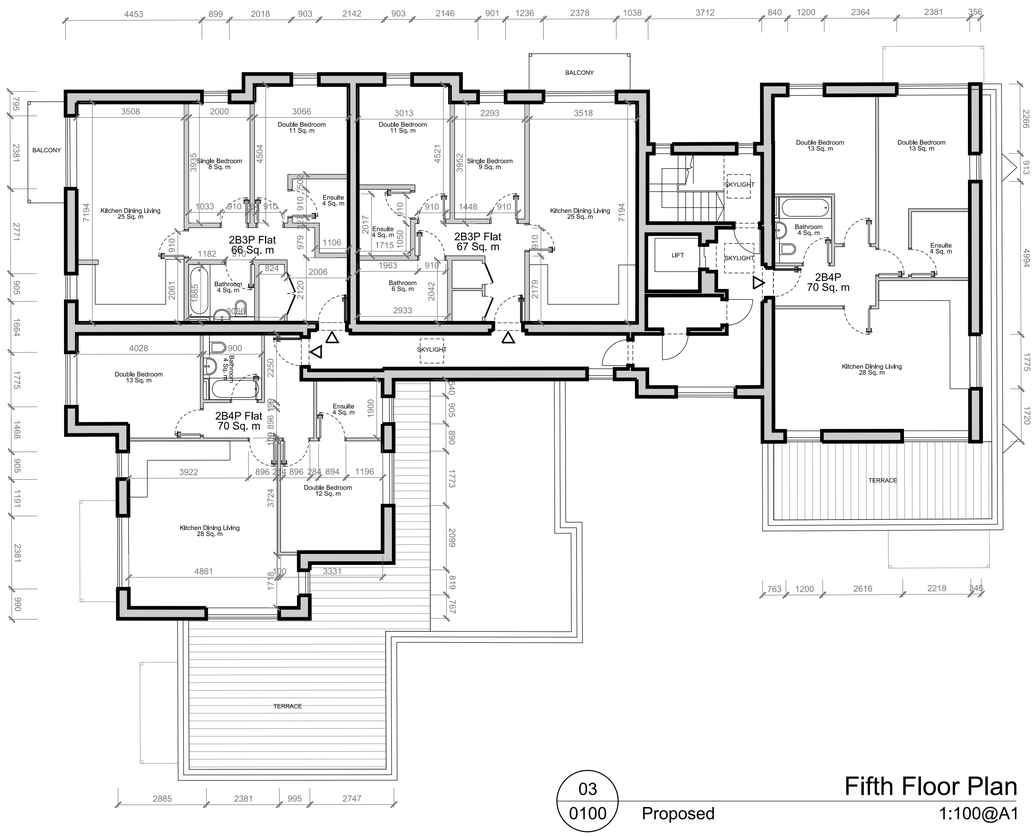


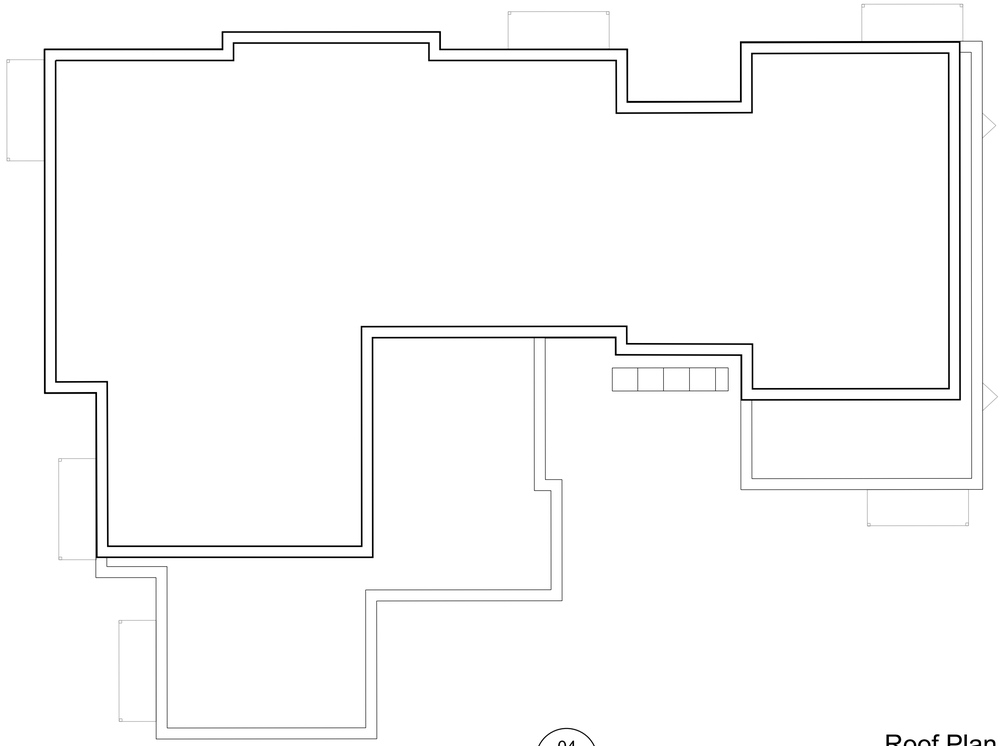
01 / 0100 — Third Floor Plan — Proposed — 1:100@A1



02 / 0100 — Fourth Floor Plan — Proposed — 1:100@A1



03 / 0100 — Fifth Floor Plan — Proposed — 1:100@A1



04 / 0100 — Roof Plan — Proposed — 1:100@A1

0 1m 2m 5m

N

Revision	Date	Description
B	2021-05-17	PD Update
A	2021-01-20	PD Submission

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Project

The Pavilions

No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title

Floor Plans
Proposed

Drawing Number	Revision
WP-0748-A-0100-P-00	B
Scale @ A1 / A3	**Revision Date**
1:100 / 200	2021-05-17

Drawing Purpose

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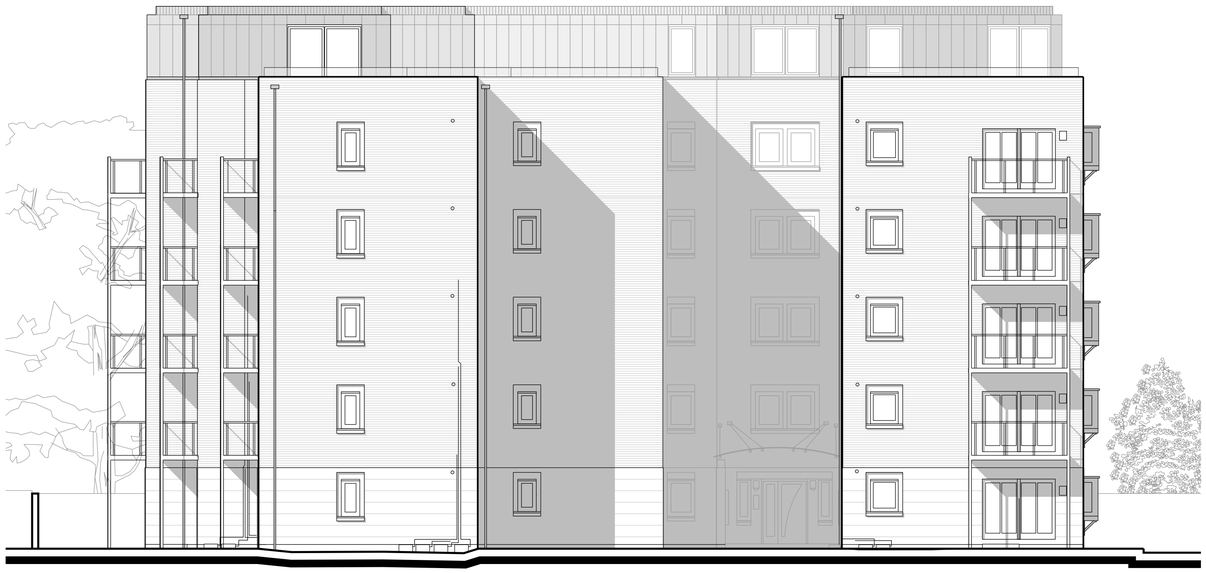
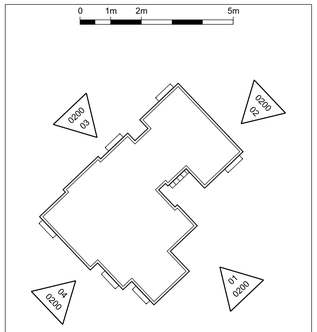


01 0200 — Elevation 1
Proposed — 1:100@A1

02 0200 — Elevation 2
Proposed — 1:100@A1

03 0200 — Elevation 3
Proposed — 1:100@A1

04 0200 — Elevation 4
Proposed — 1:100@A1



Revision	Date	Description
C	2021-05-17	PD Update
B	2021-02-10	Materiality Update
A	2021-01-20	PD Submission

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Project
The Pavilions
No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title
Elevations
Proposed

Drawing Number	Revision
WP-0748-A-0200-E-XX	C
Scale @ A1 / A3	**Revision Date**
1:100 / 200	2021-05-17

Drawing Purpose
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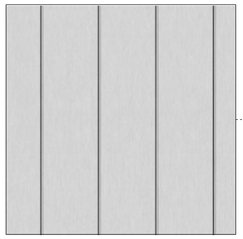
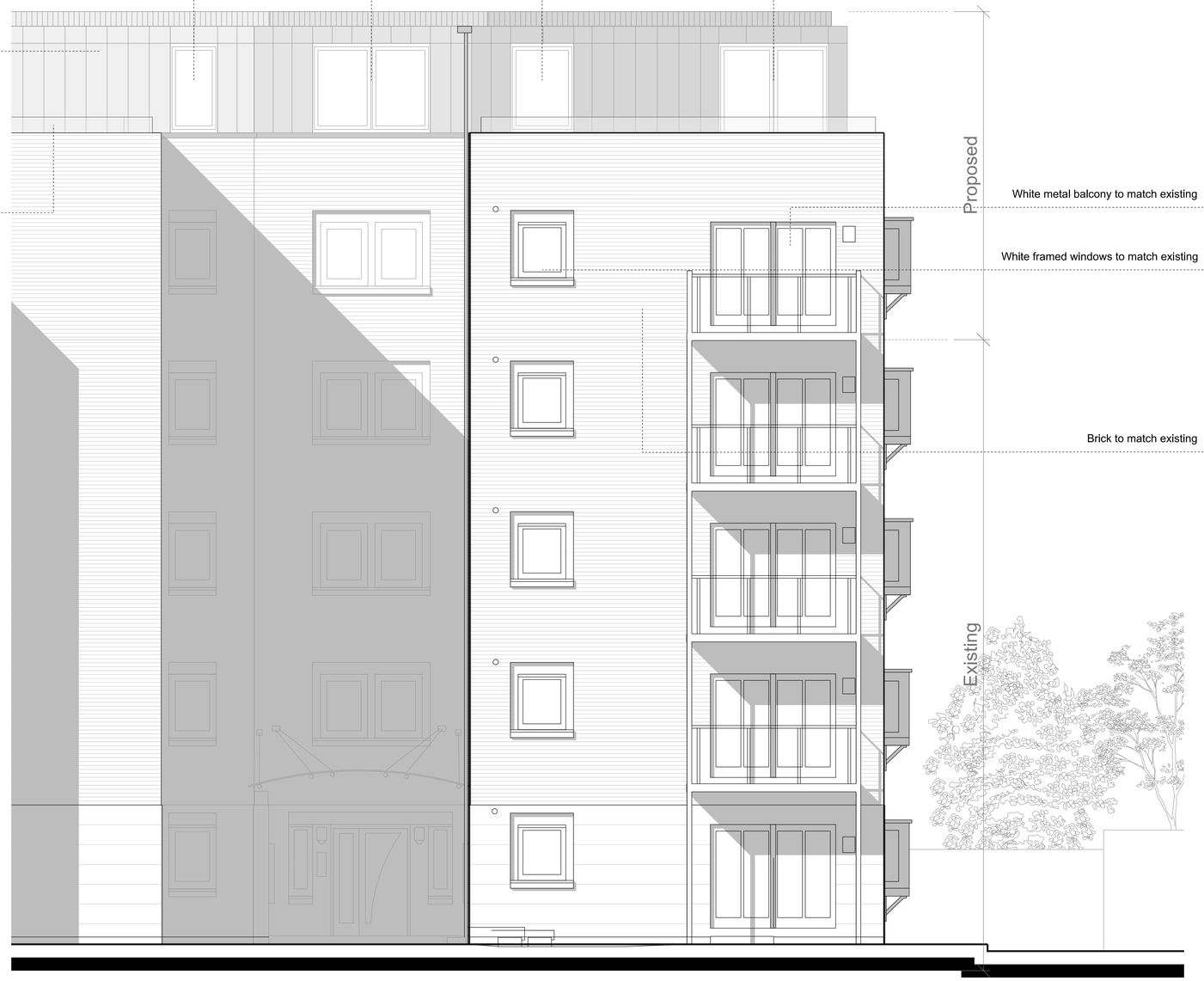
Grey aluminium frame windows and doors with clear glazing



Light metal cladding with vertical standing seam

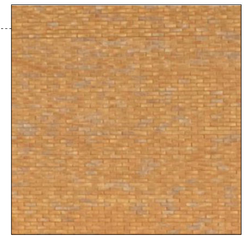
Glass balustrade

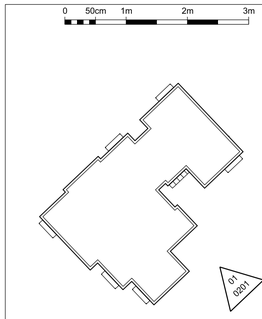


White metal balcony to match existing

White framed windows to match existing

Brick to match existing





Revision	Date	Description
C	2021-05-17	PD Update
B	2021-02-10	Materiality Update
A	2021-01-20	PD Submission

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Project

The Pavilions

No. 17-40 Greenview Dr, Raynes Park, London

Drawing Title

Material Bay Elevation
Proposed

Drawing Number	Revision
WP-0748-A-0201-E-XX	C
Scale @ A1 / A3	**Revision Date**
1:50 / 100	2021-05-17

Drawing Purpose

PLANNING

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PLANNING APPLICATIONS COMMITTEE 29th June 2021

APPLICATION NO.	**DATE VALID**
21/P1138	16/03/2021

Address/Site: 131 - 135 Love Lane, Mitcham, CR4 3YA

Ward: Cricket Green

Proposal: REDEVELOPMENT OF THE SITE INVOLVING THE DEMOLITION OF THE EXISTING COMMERCIAL BUILDING AND ERECTION OF A PART 3, PART 2 STOREY BUILDING, COMPRISING 9 x RESIDENTIAL FLATS, ASSOCIATED REFUSE AND CYCLE STORAGE, AND LANDSCAPING.

Drawing No.'s: P/07 Rev A; P/06 Rev C; P/04 Rev C; P/03 Rev C; P/02 Rev A; P/01; PROPOSED SECTION AA; PROPOSED SECTION BB; PROPOSED SECTIONAL ELEVATIONS.

Contact Officer: Jourdan Alexander (020 8545 3122)

RECOMMENDATION

Grant planning permission subject to conditions and a S.106 agreement for parking permit free, and that in the event that following substantial implementation of the approved scheme a planning application is submitted that enables the creation of one or more additional unit/units, the entire scheme would be subject to a full viability assessment, and for London Borough of Merton to levy an off-site affordable housing contribution and/or carbon offset.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 25
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: Yes

- Flood Zone: Zone 1 (low risk)
- Designated Open Space: No

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

2. SITE AND SURROUNDINGS

2.1 The subject site is located on the north-west side of Love Lane in Mitcham. It sits between a two-storey residential terrace to the south and a detached two-storey house to the north. Next door to the detached house is an MOT testing centre located at the junction of Love Lane and Western Road (A236). Lidl supermarket is located on the opposite side of the street. The site itself is immediately adjacent to the Mitcham Town Centre.

2.2 The subject site is occupied by a warehouse building, which previously housed a printing company (Use Class B1c – now E Class Use). The building although single storey, has a tall ground to celling height at 6.7m, with a dual pitch roof and decorate front fascia. The building extends deeper into the rear of the site than that of neighbouring residential houses. At the rear of the site is a single storey outbuilding with pitch roof that was used as workshop for the printing company. This outbuilding is connected to the main warehouse building by an overhanging roof canopy. All 3 buildings/structures on the site (main warehouse, roof canopy and outbuilding) essentially occupy the entire length of the site with a collective length of 37m.

2.3 There is driveway access into the site, which is formed along the warehouse's side elevation (north) and the boundary of No. 137 Love Lane, with a vehicle crossover onto Love Lane.

3. CURRENT PROPOSAL

3.1 This application seeks planning permission for the redevelopment of the site. This would involve demolition of the existing commercial buildings and the erection of a part two and part three storey building. The three storey element would consist of a recessed upper level. The new development would comprise 9 residential flats. The proposal would also include, a refuse and recycling storage area to the front, a cycle storage area within the courtyard. Landscaping is also proposed.

3.2 The part of the building set to the front of the site, would be three storey, comprising a setback third floor. The maximum height of the building at 8.6m would sit marginally above the upper heights of the neighbouring residential buildings along Love Lane at 8.3m. The building height would step down from three to two storeys moving back into the site with the central and rear parts of the building at two storeys. The central part of the building would have a flat roof design that is comparable in height to the existing building at this position at 6.7m. Whilst the rear part of the building replaces the existing outbuilding,

and would have a similar form with pitch roof, albeit taller in height and would be set further in from the rear boundary.

3.3 The flats would be accessed from the entrance fronting Love Lane, a staircase within the communal corridor would provide access to front and central flats at upper levels. Occupants within the two flats at rear would reach their front doors via the courtyard with paved walkway. Flats located at ground floor would have access to a private garden, whilst upper floor flats would have a raised balcony or in the case of the third floor flat an external terrace.

3.4 The applicant proposes that the external facade is finished in brick masonry, and a metal clad roofing system to the various flat and pitched roof forms. The recessed upper level would be a metal seam clad external finish.

3.5 The applicant has proposed the development as car free, and would be willing to enter into a legal agreements to prevent occupiers of the development from being eligible for on-street parking permits should the grant of planning permission be supported by members of Planning Committee.

4. PLANNING HISTORY

4.1 20/P3871 - REDEVELOPMENT OF THE SITE INVOLVING THE DEMOLITION OF THE EXISTING COMMERCIAL BUILDING AND ERECTION OF A PART 3, PART 2 STOREY BUILDING, COMPRISING 9 x RESIDENTIAL FLATS, ASSOCIATED REFUSE AND CYCLE STORAGE, AND LANDSCAPING. Application withdrawn

5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice and letters sent to 25 neighbouring properties. One objection letter was received stating the following concerns – The proposal would cause privacy, parking and congestion issues.

5.2 A petition was also received signed by three residents, which sited the following issues: parking, privacy, the size of the build and overcrowding. A comment also advised that the planning site notice went missing on the second day.

Officer's Comments

5.3 Paragraph 6 of section 15, part 3 of the Development Management Procedure Order (DMPO) 2015 states: *Where the notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days referred to in paragraph (3)(a), (4)(a)(i) or (5)(a) has elapsed, the authority is to be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps for protection of the notice and, if need be, its replacement.* In this case, a replacement notice was erected outside the site by the Council's contractor on the 03/06/2021. It should also be noted that all adjoining properties to the proposal have been consulted by the Council by letter.

5.4 The concerns raised within the representations received are discussed within the report.

Internal consultees:

5.5 LBM Transport and Highways Officers: Raise no objection subject to:

- Cycle parking: 16 cycle spaces (secure and undercover) maintained.
- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.
- Existing drop kerb and setts to be removed and replaced with new kerb line and tarmacadam surface to match existing pavement adjacent.

5.6 LBM Environmental Health Officer: Raise no objection subject to:

- Condition requiring a Demolition/Construction Method Statement to be submitted to, and approved in writing by, the local planning authority.

5.7 LBM Waste and Recycling Officer: The proposed waste arrangements caters for all 3 main waste streams; General waste, recycling and food waste. A major concern is that there are issues with fly-tipping in this area. The proposed communal bin areas would therefore need to be sited in such a manner that limits fly-tipping. Full details of the refuse storage should be secured by way of condition.

5.8 Environmental Protection Officer: Raise no objections provided conditions are in place involving a preliminary risk assessment and if necessary site remediation of potential contamination.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

5. Delivering a sufficient supply of homes
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places

6.2 London Plan (2021)

Relevant policies include:

GG1 Building strong and inclusive communities
GG2 Making the best use of land
GG3 Creating a healthy city
GG4 Delivering the homes Londoners need
GG6 Increasing efficiency and resilience
D3 Optimising site capacity through the design-led approach
D4 Delivering good design

D5 Inclusive design
D6 Housing quality and standards
D8 Public realm
E4 Land for industry
E7 Industrial intensification, co-location and substitution
H1 Increasing housing supply
H2 Small sites
SI2 Minimising greenhouse gas emissions
SI5 Water infrastructure
SI10 Aggregates
SI13 Sustainable drainage
T3 Transport capacity, connectivity and safeguarding
T4 Assessing and mitigating transport impacts
T5 Cycling
T6.1 Residential parking
T7 Delivery servicing and construction

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)
Relevant policies include:
CS 2 Mitcham sub area
CS 8 Housing choice
CS 9 Housing provision
CS 12 Economic development
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Active Transport
CS 19 Public transport
CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)
Relevant policies include:
DM E1 Employment areas in Merton
DM E3 Protection of scattered employment sites
DM EP4 Pollutants
DM H2 Housing mix
DM H3 Support for affordable housing
DM D1 Urban Design
DM D2 Design considerations
DM F2 Sustainable urban drainage systems
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

6.5 Supplementary planning considerations
London Housing SPG – 2016
London Character and Context SPG -2014
DCLG - Technical Housing Standards 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Housing mix
- Transport and parking
- Refuse storage and collection
- Cycle storage
- Sustainable design and construction
- Contaminated land

Principle of development

7.2 The proposal in part involves the change in use of the land from an employment use to residential use. The site is situated just outside the Mitcham Town Centre, and positioned in an area of transition between different prevailing uses. Lidl supermarket is opposite the site and there are a number of commercial sites, located to the north with frontages onto Western Road (A236). This includes an MOT garage, a vehicle repair business, and a roofing supplier. Areas south of the site are in predominantly residential use, mainly in the form of terrace housing. A detached residential house is also located immediately north.

7.3 The application site is a “scattered employment site” as defined by the Merton Development Plan. Policy CS 12 of the Core Strategy and Policy DM E1 of the SPP all seek to promote employment opportunities both locally and regionally. Policy DM E3 of the SPP relates specifically to scattered employment sites and sets out criteria by which proposals resulting in the loss of such sites for other uses may be acceptable. The London Plan policy E7 provides similar provisions concerning the protection of employment land and recognises that residential development proposals should only be supported where there is no reasonable prospect of the site being used for industrial and related purposes.

7.4 The planning application is supported by a market analysis report. This report finds that the main demand from light industrial occupiers for properties within Mitcham, primarily derives from businesses that provide London or nearby regions with services or goods, such as trade counter operators, craftsman and couriers. The applicant’s market research finds that such businesses are mainly in demand for larger office/warehouses units than the existing building on site. In addition, occupiers require industrial units to have good loading/storage facilities with 24 hours a day access, as well as good staff amenities within the property.

7.5 The key shortcoming of the site and existing building, which limit its attractiveness to tenants have been concluded within the report as follows:

- The property is situated in a predominantly residential area, and therefore noise and traffic disturbance generated by commercial operations would result in nuisance to neighbouring residents. This therefore restricts the site's capacity to trade and hours of operation.
- Articulated vehicles would have difficulty reaching the site due to the narrowness of Love Lane, and the site's lack of a tuning circle. As a result loading and unloading would be problematic.
- The property has only a small yard area. The building's roof eaves are also low restricting an operator's ability to move goods through entrances.
- The premises were last refurbished in the 1960's, and therefore the property is poorly configured for current requirements and is in a dilapidated state. The building is therefore considered obsolete, and thus difficult to let.
- It is not considered financially viable to invest in alterations, repair or replacement of the building, given that site operations would be constrained by its residential surroundings, and because the site itself does not lend itself to suitable delivery provision.

7.6 Planning Officer's note that local policy objectives, drafted as part of the preparation of the current local plan and adopted 7 years ago, normally sought showing marketing of the site with appropriate lease terms and at market rates suitable for the type, use and size for a 2½ years period. However, Officer perspectives after visiting the site, noting site constraints along with the applicant's supporting documents, is that there is likely a genuine lack of demand for this type of site by commercial operators, meaning that the building could remain unoccupied for the foreseeable future. This view is further supported given current market difficulties for employment uses appropriate in a predominantly residential area, such as offices, workshops and other creative workspaces following the pandemic.

7.7 In these instances, it is considered pragmatic to take a more flexible approach in terms of land use, knowing that it would not be optimal for the site to be left empty, which in itself would act as a major disincentive for investment and improvements to the area.

7.8 Weighing up the proposal, the loss of the commercial use and redevelopment of the land to provide 9 flats is considered on balance compliant with policy objectives. The 9 new dwellings would provide valuable planning benefits, namely through their contribution to Merton's housing stock. Policy E4 of the London Plan further recognises that any release of industrial capacity should be focused in locations that are well-connected by public transport, walking and cycling and contribute to other planning priorities including housing. To this end the site has a PTAL of 3, meaning occupiers would have reasonable connections to public transport. Furthermore, the site's location on the edge of the Mitcham Town Centre, would provide occupiers with good access to shops and other town centre provisions, thus in part fulfilling London Plan criteria.

7.9 Therefore, notwithstanding the need to carefully consider design, amenity, transport and other technical aspects of the proposal in more detail, Officers consider that a residential development could be supported in principle.

Design and impact upon the character and appearance of the area

7.10 London Plan policies D3 and D4, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, height, bulk, proportions and character of the original building and their surroundings.

Building height:

7.11 The site is sandwiched between two-storey residential houses with pitch roofs. The development although three stories in height at front, would have a similar overall height as neighbouring buildings given that a flat roof form is utilised. The proposed building would therefore largely reinforce the predominant roofline heights of buildings along this part of Love Lane. It should be further noted that the 3rd floor level is recessed from both the front and sides of the main building, and uses differing materials. These design elements should further reduce the perceived height of the building from external views.

7.12 The building steps down in height from three to two stories moving to the site's rear, where the central and rearward flats would be located. At this part of the site the total height of the building would be similar to the current height of the existing warehouse building, and therefore the scale of the proposal as visible from the rear gardens and windows of adjacent neighbours would appear largely comparable to the existing situation.

7.13 The part of the building positioned at the rear most of the site replaces an existing pitch roof outbuilding. This building would be taller than the existing outbuilding, by 1.2m, but would share a similar dual pitch roof profile. The rear part of the proposed building would therefore largely replicate the current style of building located here, which would create a visually acceptable relationship to neighbouring sites.

Massing:

7.14 The proposed building would respect the established front building line along Love Lane, as the southern part of the building is positioned with a similar depth to the pavement as the rest of the terrace properties. The building's central entrance and northern element are stepped further back from the pavement. This is acceptable given that it provides space for landscaping, and provides a clear level of separation between the entrance of the building and the public pavement.

7.15 The building is configured so that each flat has private external amenity space. To achieve this, the building is positioned with a 2.5m gap between its southern side boundary and the flank wall. Within this space private gardens would be formed. The proposed massing of the scheme along with separation between the proposed building and neighbouring sites would ensure that the

visible scale of the building does not appear unduly dominant, and largely seeks to mirror the visual mass of the existing built form on site.

7.16 A courtyard has been created between the building's northern flank wall and neighbour at No. 137 Love Lane, which contains an external walkway to the rearmost flats and cycle storage unit. This open space along the site's northern side, shares similarities in size and positon to the massing of the existing building, which has a driveway between the building and boundary.

Design and Materials:

7.17 The front the building would have doors and window openings onto Love Lane. This would provide a greater level of activity with the street than the existing building, which has limited visual interest or animation. The centrally positioned front door would also provide a clear arrival point to this part of the building. The proposed windows have a co-ordinated appearance both on the building and with other neighbouring dwellings. The recessed balconies at first floor level are not considered to appear out of place on a new block of flats, and should act to provide additional visual interest. At upper level the recessed 3rd floor level will sit behind a parapet wall. This recessed level would establish itself as a secondary component to the main building.

7.18 The southern flank wall of the building visible from properties along Love Lane and Westfield Road, would be in brick with limited external openings. This should ensure that this part of the building appears unassuming from neighbouring vantages. Openings along this part of the building would predominantly be at ground floor level, and largely obscured by the side boundary fencing.

7.19 The northern flank elevation would contain a first floor level balcony and the central first floor flat windows. However, this elevation has a limited number of external vantages towards it, and would not appear out of character for a flatted building.

7.20 The rear of the building is also appropriate considering its context overlooking a car-park for the commercial properties that front Western Road

7.21 The finished external façades are proposed to be red brick with a decorative brick detail at the parapet height, with the intent to emphasise the verticality of the building form at the Love Lane elevation. It is intended that an industrial aesthetic is continued through to the apartments at the rear of site. A condition has been included requiring the applicant to provide full details of the materials to be used on all external areas of the building prior to development. Such a condition is necessary to safeguard appearance, and ensure that material details including any variation in material textures work together to create an aesthetically pleasing scheme.

7.22 Overall the building height, massing, design and materials are considered acceptable by officers. The built form largely seeks to replicate the parameters set by the existing building. The design is considered to be well considered and would complement its surroundings. Subject to the recommended conditions, the proposal is considered to be in compliance with London Plan policies D3 and D4, Core Strategy policy CS14 and SPP Policy DMD2.

Impact upon neighbouring amenity

7.23 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

Visual dominance and sense of enclosure:

7.24 The majority of the new building replicates the bulk, mass and height of the existing buildings on the site. Therefore, it is not considered that there would be an undue impact to the neighbouring occupiers in terms of sense of enclosure of visual dominance from the new building.

7.25 In terms of the recessed upper level, which is taller than the existing building, a large component of this level would be situated between the blank flank walls of both neighbouring houses. The parts at upper level that project beyond the neighbouring rear building line would not be considered to cause harmful impacts to amenity. This position is taken given that the upper level would be recessed by 2.5m from the side boundary of No. 129 Love Lane, which is considered satisfactory in terms of alleviating the building's visual presence to this neighbour. The upper level has only a slight recess between the flank wall and other adjoining neighbour at 137 Love Lane. However, given that this neighbour sits deeper within the site than the opposite neighbour, the level of projection past this neighbour's rear wall would be minor, approx. 3m. Officers consider that the upper level would create an acceptable relationship with adjoining buildings.

7.26 The rear part of the building with pitch roof would be taller than the existing rear outbuilding on site. However, its location at the ends of neighbouring rear gardens, and thus away from habitable spaces would not create a sense of enclosure to these properties.

7.27 The site's neighbours to the northern rear corner are occupied by commercial operations. This includes an MOT garage and a carpark. The increased massing on the site here would have no impact on the amenity or operation of these commercial properties.

Daylight / sunlight:

7.28 The applicant has provided a daylight/sunlight assessment to support the planning application. The report was carried out in accordance with Building Research Establishment Guidance and assesses the effect of the

development upon daylight/sunlight to the adjacent properties at 123-129 Love Lane, 137 Love Lane and 1-4 Westfield Road. The report confirms that there will be no discernible effects upon the daylight/sunlight received to the any of these adjoining properties. Planning Officers have reviewed this report and concur with the finding made from the assessment.

Privacy:

7.29 In terms of impacts of the proposal on neighbouring privacy levels, the houses considered most sensitive to privacy loss are those located at No. 123-129 and 137 Love Lane, as well as houses that front the northern side of Westfield Road whose rear elevations face the southern elevation of the proposal. The proposed scheme is considered to be sensitively designed to limit any harm to privacy. This has been achieved through window and balcony/terrace positioning, alongside the placement of privacy screens and boundary fencing.

7.30 The side (southern elevation) of the proposal has only one window above ground floor level that faces towards Westfield Road. This window serves a stairwell and has been conditioned to be obscure glazed. The other windows to the side elevation are at ground floor only and positioned 2.5m from the side boundary. Being at ground floor level there would be no overlooking resulting from the development. The windows and side gardens along the southern edge of the site would be distanced approximately 15m from the rear upper windows of properties along Westfield Road. Conditions have been recommended requiring that the applicant erects a 1.8m timber fence around the side and rear boundaries of the development. The new boundary fences would act as an additional element of screening between new occupiers and existing neighbours. This screening along with the 15m distance between windows is considered adequate to address privacy issues.

7.31 The building has rear (west) facing windows within the front part of the building and at rear. The rear windows within the front part of the building would serve bedrooms at first and floor second level. The views attained from these windows towards the rear garden of 129 Love Lane, would be similar to those already achieved from neighbouring rear windows of other houses along Love Lane, and therefore there would be no notable reduction in privacy. Rear (west) facing windows within the rear part of building would look onto a commercial carpark.

7.32 Flat 8 (at rear) would have a window facing eastward towards the rear of properties within 123-129 Love Lane. This window is small, serves a bedroom and the angles of view attained are in part blocked by the corner walls of Flat 7. This window sited approximately 20m distance from the rear elevation of the terrace houses along Love Lane is not considered to result in any undue loss of privacy.

7.33 The property has north facing windows that face towards 137 Love Lane, and the MOT garage adjoining the site. Officer's site visit established that the rear of 137 Love Lane comprises limited garden space. Instead the rear area

contains a large outbuilding whose footprint encloses most of the space behind the residential building. No. 137 Love Lane therefore has limited rear spaces considered sensitive to the views attained from the development's north facing windows.

7.34 In terms of balconies and terraces, overlooking issues from these spaces towards adjacent properties along Love Lane and Westfield Road have been appropriately mitigated through their positioning, use of obscure glazed privacy screens, and restricting certain areas of the building's flat roofs from use. A condition has been imposed requiring that the applicant fully installs the proposed 1.7m privacy screening shown on the drawings before occupation as well as restrictions on the use of certain roof spaces for amenity purposes. Subject to conditions, neighbouring privacy levels would not be materially harmed by the proposal.

Noise:

7.35 In terms of noise, the residential use would replace a light industrial operation and would be unlikely to generate a greater level of noise. The 9 new dwellings would be located within a predominately residential location and it is not considered that the residential dwellings would cause a harmful level of disturbance to neighbours.

Overall:

7.36 Overall it is officer's view that the proposal would not unduly impact the amenity of adjoining occupiers, and is consistent with SPP policy DM D2.

Standard of accommodation

7.37 London Plan Policy D6 Housing development should be of high quality design and provide adequately-sized rooms, with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures. Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.

7.38 The table below provides a breakdown of the internal space for each flat along with private external amenity space.

Flat	Type	GIA (sqm)	London Plan requirement for GIA (sqm)	External amenity space (sqm)
1 (ground)	1b/2p	50	50	7
2 (ground)	studio	45	39	5
3 (ground)	2b/3p	64	61	32
4 (ground)	2b/3p	68	61	41
5 (1st floor)	1b/2p	50	50	5
6 (1st floor	1b/2p	50	50	4
7 (1st floor)	2b/3p	68	61	6
8 (1st floor)	2b/3p	68	61	6
9 (2nd floor)	3b/4p	77	74	21

7.39 All of the flats would meet or exceed Internal Space Standards (GIA), and would have adequately sized rooms and convenient and efficient room layouts, which are functional and fit for purpose. Good outlook as well as adequate daylight / sunlight would be received into habitable rooms. All except one of the flats, Flat 7, would be dual aspect. With respect to policy, London Plan D6 seeks to avoid singe aspect dwellings unless they would optimise site capacity through the design-led approach than a dual aspect dwelling, and with consideration towards adequate passive ventilation, daylight and privacy. In this case, the constraints of the site mean that windows to this part of the building can only be configured to the north elevation to prevent overlooking. The applicant has endeavoured to ensure that this unit receives good levels of natural light though roof lights above each habitable room to complement the unit's single aspect windows. Overall Flat 7, would have good levels of privacy, daylight and ventilation further enhanced through the unit's balcony.

7.40 In terms of privacy of flats within the development, the placement and angles of windows and external amenity areas are such that the views between other flats are minimised. Conditions further controlling privacy screens and boundary fences would ensure further mitigation is built into the development to avoid views either within the development or from neighbouring houses towards habitable spaces of the proposed flats.

7.41 All flats except Flat 6 would have private external amenity spaces that meet or exceed minimum standards. This would be achieved through the provision of private garden spaces for all ground floor level flats, with first floor flats comprising balconies, and the 3rd floor flat having external terraces. Flat 6 would have a balcony 1sqm short of the 5sqm normally expected under the London Plan. However, this east facing balcony accessed from double doors from the open plan living area, would provide a good quality open feel for residents, as well as a usable amenity space for the two expected occupants.

7.42 The application was consulted with LBM Environmental Health Officers who raised no objections towards the scheme, subject to a conditions in place

requiring that the applicant submits a Demolition/Construction Method Statement for the development.

7.43 In terms of housing mix, whilst the proposal would not match the Council's indicative housing needs as set within the Merton's Housing Strategy (2011-2015), which aims for an even split between 1, 2 and 3+ bedroom dwellings. The scheme would still contain a range of sized homes (1, 2 and 3 bedroom) that are in need within the borough.

7.44 Overall, the proposed development would provide a good quality standard of accommodation.

Transport and parking

7.45 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. Core Strategy Policy CS 18 promotes active means of transport, and CS 19 promotes public transport.

7.46 The applicant has outlined within their planning statement that they would be willing to enter into a legal agreement to become parking permit free for the additional flats created by the scheme. The application has been consulted with the Council's Transport Planner who noted that the property has a moderate public transport accessibility level (PTAL 3), and therefore new occupants would have a reasonable ability to get around using public transport alone. The site is also adjacent to Mitcham Town Centre, in which there are a number of supermarkets and other shops and services for convenience shopping.

7.47 The site is located within a Controlled Parking Zone. A legal agreement to restrict all future occupiers of the flats from obtaining on-street residential parking permits would mean that the impact of the development on traffic and highways would be largely neutral to that of the existing situation. The Council's Transport Planner noted that there is no off-street space available for servicing or deliveries, and that double yellow line restrictions are in place along the adjoining carriageway. Although this could pose some difficulties for collections and drop-offs to the site, this issue would not warrant refusal of the scheme given that only 9 units are proposed. It is further noted that all other houses within the surrounding area have limited spaces for delivery vehicles to park off-street, and therefore servicing would be no different in procedure to that used to service existing homes.

7.48 The site has an existing vehicle crossovers onto Love Lane. The vehicle crossover would be made redundant by the development given that no off-site car parking is proposed. To ensure that after building works are completed the redundant cross-over is not retained, a condition has been recommended that requires that dropped kerb and setts be removed and replaced with new kerb line and tarmac surface. Such a condition would improve the functionality of the pedestrian pavement along this part of Love Lane through the reinstatement of level pavement.

Refuse Storage and Collection

7.49 Refuse storage has been indicated on the plans, and show that a sufficient level of refuse storage would be provided on site. The refuse storage would located at the front of the property, conveniently placed for collection vehicles. The proposal has been consulted with the Council's Refuse and Recycling Officer, who notes that the area has had some issues with fly-tipping. In this case the refuse storage would be partly recessed into the building side elevation at ground floor level, to appear discreet from the public highway. Furthermore, its position setback from the footpath and within the private entrance frontage of the property should create a secure design that discourages fly-tipping.

7.50 A condition has been recommended requiring that the developer submits full details of the refuse and recycling storage facilities to ensure the storage and associated facing details are visually acceptable and fit for purpose.

Cycle Storage

7.51 Cycle storage is required for new development in accordance with London Plan policy T5 and Core Strategy policy CS 18. The proposal would thereby require 1 space per studio or 1 person 1 bedroom unit and 1.5 spaces per 2 person 1 bedroom dwelling. For the proposed development the requirement will be 16 cycle spaces (secure & undercover). The submitted drawings show that cycle storage would be provided within the internal courtyard. A condition has been recommended requiring full details of the proposed cycle storage prior to development to ensure that this facility has good functionality.

Sustainable design and construction

7.52 London Plan policies SI2 and SI5, and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.53 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. A condition has been recommended which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Contamination

7.54 The proposal has been consulted with the Council's Environmental Protection Officer who notes that the site has a level of risk from contamination due to previous uses in and around the area. Conditions have been recommended requiring the applicant to undertake a preliminary risk assessment and if

necessary site remediation necessary to safeguard the health of future occupants.

8. COMMUNITY INFRASTRUCTURE LEVEY

8.1 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £160 per additional square metre of floorspace to be paid to Merton Council and an additional £35 per additional square meter to be paid to the Mayor.

9. PLANNING OBLIGATIONS

9.1 The creation of 9 new dwellings would not trigger affordable housing requirements. However, given that the scheme comes close to this trigger of 10 dwellings, officers have recommended that approval of the scheme is subject to a S.106 agreement, which secures that in the event that following substantial implementation of the approved scheme a planning application is submitted that enables the creation of one or more additional unit/units. The entire scheme would be subject to a full viability assessment, and for the Council to levy an off-site affordable housing contribution and/or carbon offset. This is considered necessary to ensure that any later relevant development on site can contribute towards the standard planning obligations of a major development.

10. CONCLUSION

10.1 The loss of the 'scattered employment' site is considered acceptable in this instance given the site's constraints, its residential location, along with market demand. The proposal would provide 9 new homes within the borough, which furthers a London Plan requirement for Merton to deliver 918 homes each year. The scale, form, design and positioning of the proposed two storey building with recessed upper level is considered to respond well with the suburban character adjacent to the Mitcham Town Centre.

10.2 The proposed homes would provide a good standard of accommodation. Planning conditions and a section 106 agreement (parking permit free and (potential) major development contributions) have been recommended to ensure that the impacts of the development and future development are adequately addressed.

10.3 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

RECOMMENDATION: Grant planning permission subject to conditions and a S.106 agreement to secure:

1. All flats are to be parking permit free.

2. That in the event that following substantial implementation of the approved scheme a planning application is submitted that enables the creation of one or more additional unit/units. The entire scheme would be subject to a full viability assessment, and for London Borough of Merton to levy an off-site affordable housing contribution and/or carbon offset.
3. The developer agreeing to meet the Council's costs of reviewing and entering into [including legal fees] the legal agreement
4. The developer agreeing to meet the Council's costs of monitoring the legal agreement.

Conditions:

1) Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2) Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

3) No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4) Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

5) No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning

authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

-hours of operation
-the parking of vehicles of site operatives and visitors
-loading and unloading of plant and materials
-storage of plant and materials used in constructing the development
-the erection and maintenance of security hoarding including decorative
-displays and facilities for public viewing, where appropriate
-wheel washing facilities
-measures to control the emission of noise and vibration during construction.
-measures to control the emission of dust and dirt during construction/demolition
-a scheme for recycling/disposing of waste resulting from demolition and construction works
-emissions from Non Road Mobile Machinery during construction
-produced by the Contractor responsible for excavation, underpinning and construction of the basement retaining walls. This shall be reviewed and agreed by the Structural Engineer designing the temporary and permanent retaining structures.
-plan showing any temporary works, underpinning sequence and sections of the retaining walls produced by the relevant appointed Contractor.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

6) A preliminary risk assessment, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy SI 10 of the London Plan 2021 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

7) The approached remediation shall be completed prior to completion. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA.

Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy SI 10 of the London Plan 2021 and policy DM EP4 of Merton's Sites and Policies Plan 2014.

8) The obscure glazed screening and enclosures to the balconies and terraces as shown on the approved plans shall be implemented and completed in full before the development is first occupied and retained permanently thereafter. In addition, the areas labelled ‘not for terrace use’ on the proposed plans shall be for maintenance or emergency purposes only, and shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: to ensure appropriate levels of privacy for the occupiers of the development along with neighbouring occupiers, and to comply with policy D3 of the London Plan 2021, and policy DMD2 of the Sites and Policies Plan 2014.

9) The development shall not be carried out except in accordance with the submitted Landscaping Plan (drawing No. P/06 Rev C), which shall be completed in full prior to occupation of the development

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

10) No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI2 and SI5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

11) Except for demolition, no development shall take place until details of the front boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

12) Except for demolition, no development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

13) Except for demolition, no development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved

facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

14) Before the development hereby permitted is first occupied, 1.8m high close-board timber fencing shall be installed along the full length of the site's side and rear boundaries. The erected fencing shall be permanently retained in good repair thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

15) Before the development hereby permitted is first occupied, the window within the rear stairwell to access Flat 4 shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

16) The development shall not be occupied until the existing redundant crossover onto Love Lane has been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

17) Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.

18) The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy SI13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

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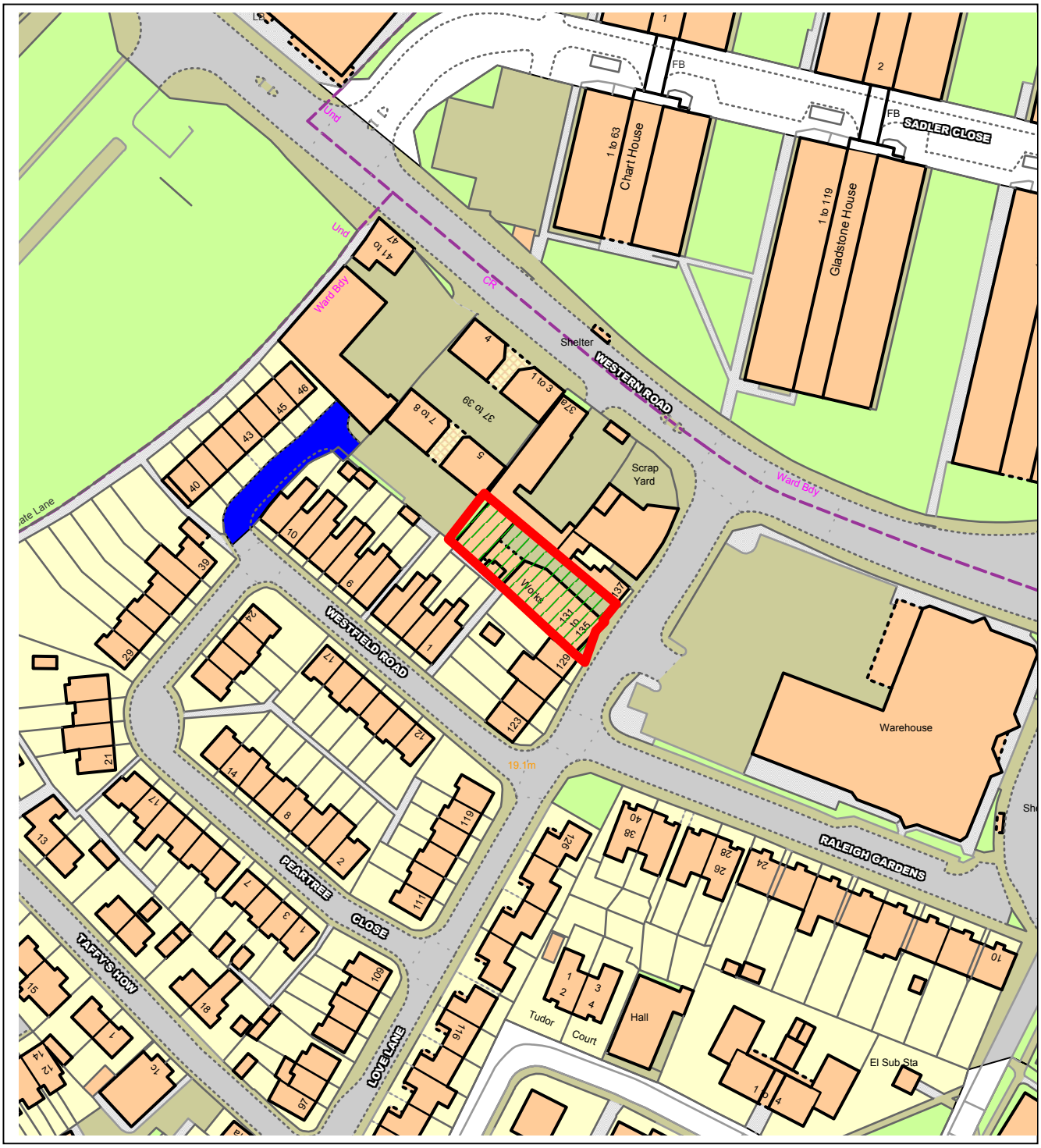
NORTHGATE SE GIS Print Template



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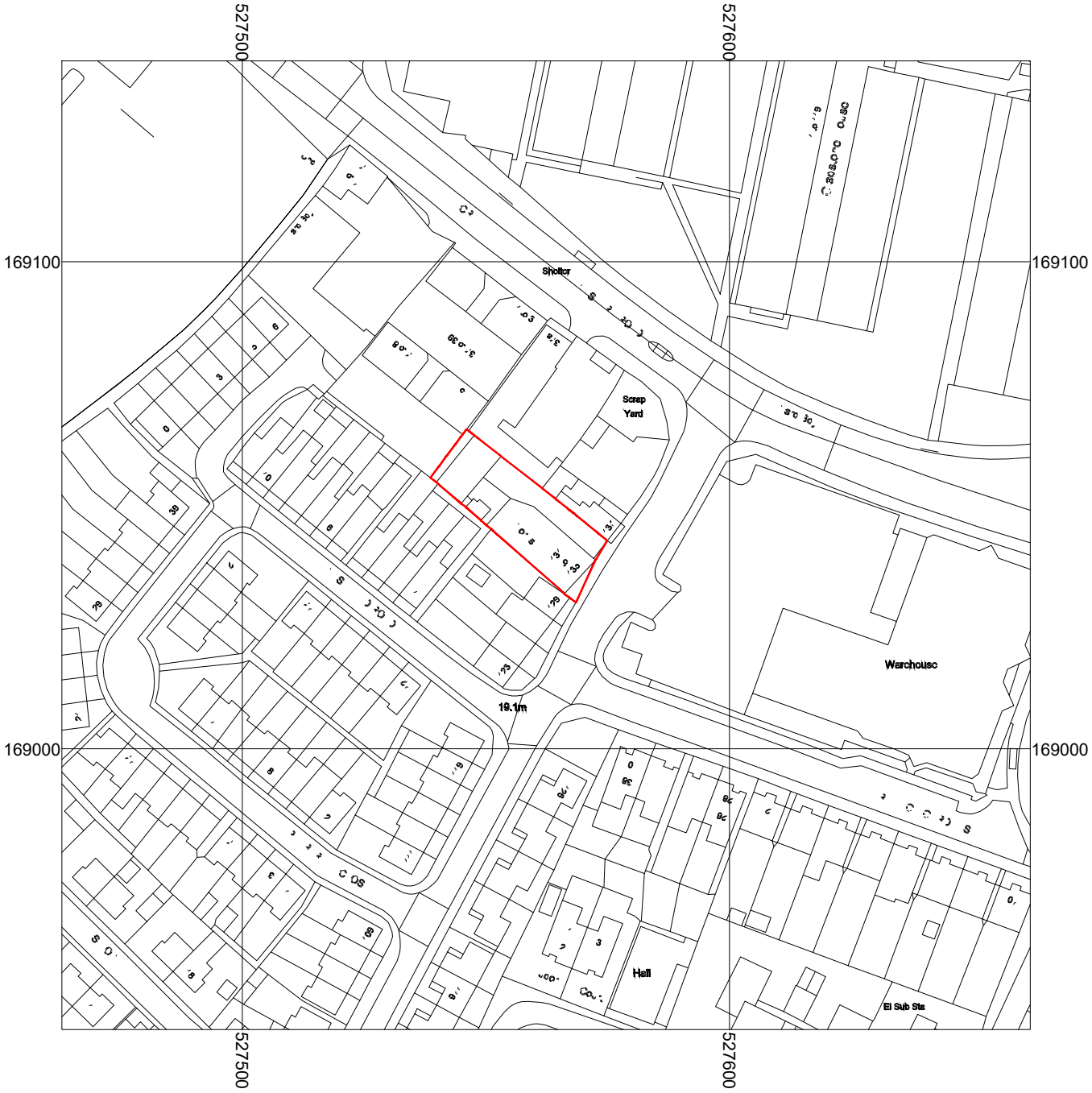

N

PLANNING

SCALE IN M

0 10 20 30 40 50m

title

131 LOVE LANE

client

PRIMEDENE

description

LOCATION PLAN

burgess mean architects
unit 1, the warehouse
12 ravensbury terrace
london
SW18 4RL

all dimensions to be checked on site. any discrepancy between this drawing and other information is to be referred to the partnership. This drawing is copyright.

t: 020 8944 8050 f: 020 8946 9506 e: bma@burgessmean.co.uk

date: FEB 2020
drawn by: ZV
file name:
checked:

scale: 1:1250 @A4
project:
drawing: P/01
revision:

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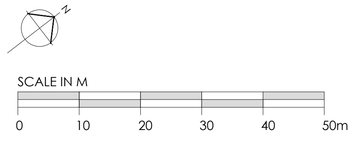
EXISTING SITE PLAN

PROPOSED SITE PLAN



REV A - 28/05/21 - Revised to suit planner comments

PLANNING

title
131 LOVE LANE

client
PRIMEDENE

description
EXISTING & PROPOSED SITE PLANS

burgess mean architects
unit 1, the warehouse
12 ravensbury terrace
london
SW18 4RL

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t: 020 8944 8050 f: 020 8946 9506 e: bma@burgessmean.co.uk

date:	FEB 2020	scale	project	drawing	revision
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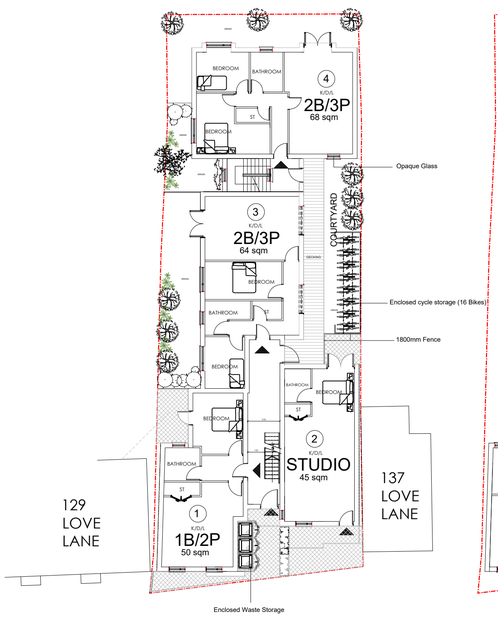
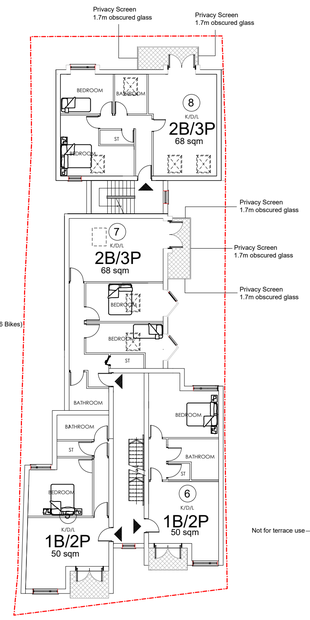
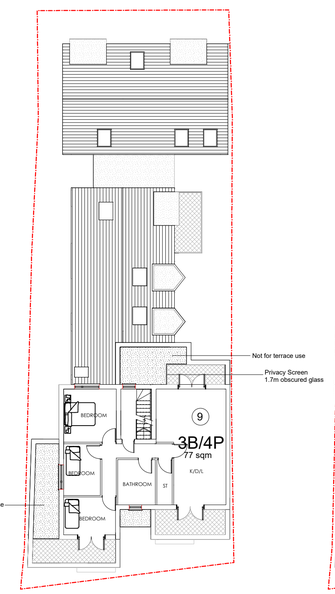


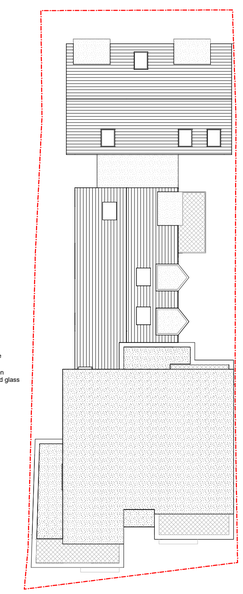
GROUND FLOOR



FIRST FLOOR



SECOND FLOOR



ROOF PLAN

LOCATION PLAN 1:500

REV A - 05/03/21 - Revised to suit planner comments
REV B - 25/05/21 - Revised to suit planner comments
REV C - 28/05/21 - Revised to suit planner comments

PLANNING

title
131 LOVE LANE

client
PRIMEDENE

description
PROPOSED PLANS

burgess mean architects
unit 1, the warehouse
12 ravensbury terrace
london
SW18 4RL

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date: FEB 2020
drawn by: ZV
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scale 1:200 (A1)
project
drawing P/03
revision C

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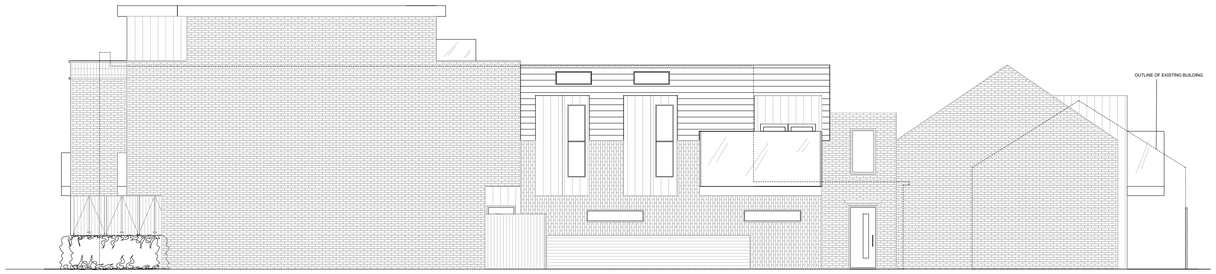
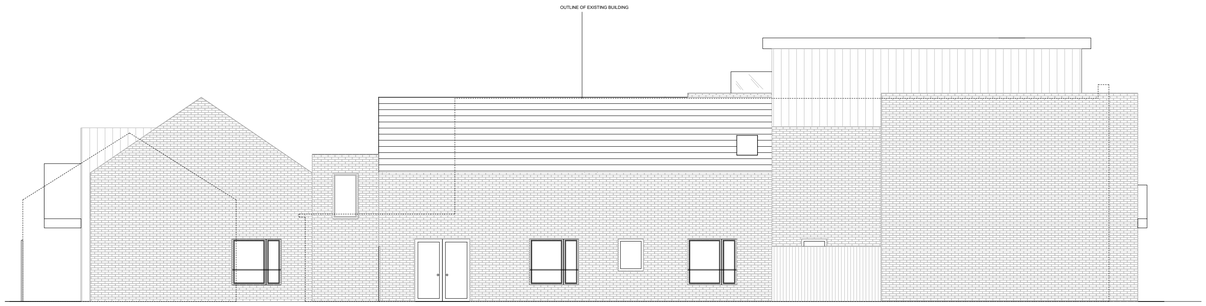
PROPOSED FRONT ELEVATION



PROPOSED FLANK ELEVATION



PROPOSED FLANK ELEVATION

PROPOSED REAR ELEVATION

SCALE IN M

0 1 2 3 4 5 6 7 8 9 10

REV A - 05/03/21 - Revised to suit planner comments
REV B - 25/05/21 - Revised to suit planner comments
REV C - 28/05/21 - Revised to suit planner comments

PLANNING

title
131 LOVE LANE

client
PRIMEDENE

description
PROPOSED ELEVATIONS

burgess mean architects
unit 1, the warehouse
12 ravensbury terrace
london
SW18 4RL

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t: 020 8944 8050 f: 020 8946 9506 e: bma@burgessmean.co.uk

date: FEB 2020
drawn by: ZV
file name:
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scale: 1:100 (A1)
project:
drawing: P/04
revision: C

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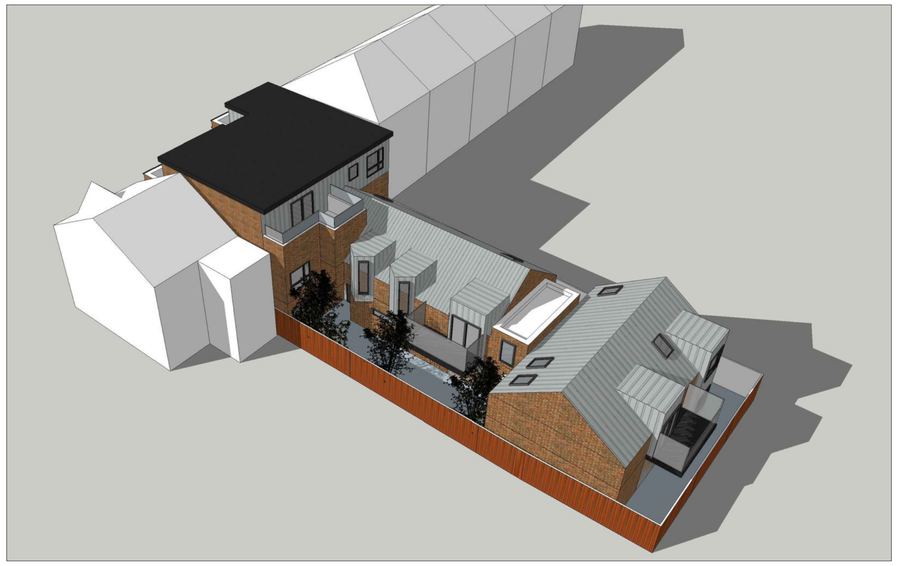
3D VIEW - LOVE LANE ELEVATION



3D VIEW - FLANK ELEVATION

REV A - 28/05/21 - Revised to suit planner comments

PLANNING

title
131 LOVE LANE

client
PRIMEDENE

description
PROPOSED 3D MODEL VIEWS

bm architects

burgess mean architects
unit 1, the warehouse
12 ravensbury terrace
london
SW18 4RL

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	**APPLICATION NO.**	**DATE VALID**
	20/P0801	14.02.2020

Address/Site Former Mitcham Fire Station
30 Lower Green West
Mitcham
CR4 3GA

(Ward) Cricket Green

Proposal: **CONVERSION OF FORMER FIRE STATION TO PROVIDE 9 X RESIDENTIAL UNITS INVOLVING ERECTION OF REAR AND SIDE EXTENSIONS TO EXISTING BUILDING.**

Drawing Nos; Site location plan, drawings 6724-PL-300 Rev D, 6724-PL-301 Rev G, 6724-PL -302 Rev F, 6724-PL -303 Rev E, 6724-PL -304 Rev E, 6724-PL-307 B & 6724-PL -308 A and document 'Arboricultural Appraisal and Implications Assessment' compiled by ACS (Trees) Consulting dated Jan 27th 2020

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant Planning Permission subject to conditions.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 58
- Press notice – Yes
- Site notice – Yes
- External consultations: Yes, Metropolitan Police
- Archaeological Priority Zone – Yes Tier 1 & 2
- Flood risk zone - No
- Controlled Parking Zone – No
- Number of jobs created: N/A
- Density 236 Dwellings per hectare

- PTAL 3 on a scale of 0 to 6B where 6B is highest.
- Located within Mitcham Cricket Green Conservation Area
- Locally or statutorily listed buildings – Building is locally listed. Both the White Hart and the Burn Bullock are Grade II listed public houses in close proximity to the site whilst Grade 2 listed War Memorial is located adjacent to the site.

1 INTRODUCTION

1.1 The application is brought before the Committee given the nature and scope of objections and as the proposals involve the use of Council land to access the development.

2. SITE AND SURROUNDINGS

2.1 The application site is occupied by the vacant former fire station building which is locally listed and identified as making a positive contribution to the Mitcham Cricket Green Conservation area. A new replacement fire station has been constructed nearby on London Road. The building is part of a group of buildings on the Lower Green West 'island' comprising Vestry Hall, the Fire Station and the former Cricketers pub which has now been demolished and replaced by a block of residential flats introducing a more contemporary development to the area. The local listing description states "This is a two storey detached building, which dates from 1927, and is in a simple classical style. The building materials used include red brick on the upper floor, and ashlar sandstone on the ground floor. The roof is of green slate. The main features of interest include the curved roof slope, the diamond window set within the front facing gable, and the inscribed lettering above the fire engine doorways.

2.2 The majority of the land to the front of the site leading to the front of the building is in the ownership of Merton Council having previously been used to provide access and egress for the fire engines using the fire station building.

2.3 As part of the access arrangements updated in 2016 there is a right of way at all times and for all purposes for the land to the rear of the site up to Vestry Hall and for the forecourt. There is also a pedestrian right of way along the side of the building by Lower Green.

3. CURRENT PROPOSAL

3.1 Conversion of former fire station to provide 9 dwellings involving the erection of rear and side extensions to the existing building.

3.13 The proposals can be summarised as involving;

- Main part of existing locally listed building to be retained.

- Retained main building to be enhanced by replacing PVCu windows and restoring engine bay doors to original style.
- Single storey extension to rear to be demolished and replaced with new rear extension in sympathetic style but distinct from the existing.
- Side elevation to be repaired and altered to provide a more sympathetically arranged façade than the current untidy arrangement.
- New upper floor side extension (south-east) to be set back from the main façade to respect the Fire station original proportions.
- Ridgeline of proposed roofs to be subordinate to the existing building.
- New roof level extensions set back from main roof to ensure views of existing original roof shape are maintained.
- Proposed new side window arrangement in original roof to be fully recessed to maintain original roof lines but with amenity terraces at this level.
- Courtyard to rear maintains visual separation between the proposal and the Vestry Hall.
- New stonework and roof coverings to match existing.

3.10 The proposal involves the removal of a small ground floor area where the more modern service entrance is and on the ground floor the erection of some new additional structure to the centre rear of the building. At first floor level there will be a new full width extension across the centre of the building and extension works to the rear and side at the back of the building. At roof level the works to the rear carry on up from the first floor to a new roof level and include new works to the side of the main roof by Cricketers House and a smaller dormer on the Lower Green side of the building.

3.2 Following the concerns of officers the schedule of accommodation has been amended and consequently the proposed accommodation would now be in the form of 5 x 1bedroom two person units, 1 x 2bedroom three person unit and 3 x 2 bedroom four person units. The originally proposed 3 bed five person unit being reduced to improve internal layout.

3.3 The site is formed predominantly of the building itself now that the plans have been amended to remove the amenity area from in front of the feature fire bay doors and to relocate it within the building footprint. The drawings originally indicatively showed five parking bays being provided on the forecourt but as this caused a conflict with the functioning and servicing of Vestry Hall this element has been removed and no on site parking is now proposed.

3.4 The applicant has offered to fund the removal of the existing tarmac and parking area to the side of the building and its replacement with a continuation of the grass of the Village green towards the site just leaving a hardstanding pathway for resident access and for the movement of the Vestry Hall refuse containers on collection day.

3.5 Materials for the proposals include replacing the functional UPVC windows in the main façade with thin framed aluminium windows to reflect the original design. The existing fire engine bay doors will be replaced with new screens to match the original design and colour. Bricks taken from alterations at the rear will be reused on the Northwest elevation. Where new bricks are needed Leicester red bricks would be used that will weather to match the existing. A new brick wall will be provided to replace the wooden one currently separating the site from Vestry Hall. Roofing materials would match those of the existing building.

4. RELEVANT PLANNING HISTORY

4.1 19/P2688 Application withdrawn by applicant for change of use of vacant fire station to residential use involving the erection of a rear extension to provide 9 self-contained units with associated refuse, cycle storage and parking

4.2 19/P3033 Pre application submission for the proposed change of use and extension to existing building to form 9 self-contained flats.

4.3 19/P3904 Concurrent application for site hoardings.

5. CONSULTATION

5.1 The application was advertised by means of Conservation Area Site & Press notice and letters to local residents.

Three letters of objection raised concerns relating to;

- It does not respect the heritage of the building and so would be detrimental to the local environment
- Design is inappropriate in its context and fails to take the opportunity to improve the character and quality of the area,
- As the previous building served the community any new use should also do so.
- Gross over development of the site with little landscaping
- Fitting 9 flats in the former fire station is not suitably respectful.
- Pressure on parking, land may be given up for more parking
- Insufficient parking in the area already.
- Conditions would be need for hours of construction and details of construction vehicles.
- Two of the flats will be able to look into neighbouring flats' kitchen window from their bedrooms.
- Trees will need to be cut down on the Cricketers site but they are not shown on the plans.

5.2 The Mitcham Cricket Green & Heritage Group raised concerns that;

- The poor quality of early engagement and misunderstanding of our role means this is not an application that can be looked upon more favourably.
- This should not be solely residential but include some D1 and or D2 uses, perhaps a community arts centre.
- Needs to address the relationship with adjoining open space, Listed war memorial station apron and Vestry Hall
- Should retain the integrity of the engine bay which would be harmed by bin stores and parking.
- The gross internal area increases by 83% from 359.5m2 to 657m2 which is disproportionally large for this modest building. Also involves demolition 26m2 of the original building
- Intrusive new terraces on the front elevation will harm the historic significance of the key frontage of the locally listed building.
- Damage the visual quality of Lower green west through new lighting, bin stores, hard surfaces and parked vehicles
- The required public access to the side of the building results in lack of defensible space for residents.
- Main entrance is inappropriately located facing the Town Green and the War memorial and conflicts with the right of way
- Awkward relationship with vestry Hall leaves unresolved space between the two buildings
- Causes harm to relationship between the buildings on lower green West
- Lack of assurance over public rights of access across the apron will continue in perpetuity.

5.2.1 Following the submission of revised designs the group commented

- Notwithstanding our previous objections, including the failure to provide for mixed use and the disproportionate scale of the proposed extension, we welcome the changes for their positive impact on the key historic elevation facing Lower Green West. They successfully remove the clutter created by the previous plans for a balcony, planting and bin store.
- There should be no use of the Fire Station apron for parking with public access in perpetuity
- Strict controls on external lighting methods are required.

Internal consultees.

5.3 LB Merton Estates Department and Vestry Hall

Both consulted and raised no objections.

5.4 LB Merton Design. The officer was involved in pre application discussions and commented on the evolving design which has been amended in response to his comments and those of officers and the public with the result that the officer no longer raises any objections to the design.

5.5 Officers also raised the matter of planting across the front of the building along with concerns about parking on the forecourt and the potential impact of this on

the users of Vestry Hall. With both of those initially proposed elements being amended and withdrawn from the application these matters have has consequently been addressed. Future Merton Officers also raised concerns that the positioning of bedrooms to the front of the building at ground floor level might result in a lack of active frontage. However the bedrooms only account for half of the frontage with the remainder being the main living area and therefore it is considered that the resultant level of activity would be proportionate to the proposed residential use.

5.6 Merton Conservation officer. Expressed reservations about the refuse store being located in front of the building on the grounds of visual intrusion and consequently the bin store and bike store were moved to the rear of the site.

5.7 Merton Transport planning officer.

Using the 200m walking distance to and from the site in accordance with the standard Lambeth Parking Methodology there is very little significant parking available due to the unique setting of this site. Therefore the survey been extended to a wider area where parking is feasible and safe to 500m which is used for Commercial applications in accordance with current Lambeth parking methodology. When considering safe and desirable parking options, just 5 mins walk from site:

The parking stress resulted in 74%-71% [in the region of 80 overnight spaces] - by looking at this wider parking survey area which equates to around a 4/5 min walk to the boundaries of this larger survey area.

The applicant acknowledge that in strict terms for a residential site, then 200m is usually adhered to for the Lambeth Parking model, but given the unique position of the site, and also taking into account safe pedestrian access, open footpaths [not alleyways] and safe pedestrian crossing points, to make a valued decision considering the wider area.

Transport is satisfied with the results and the methodology adopted for this unique site'.

External consultees.

5.8 Metropolitan Police Safer by Design officer. The ward has the second highest crime rate in the borough and the site's location and setting made it vulnerable. Details for a more robust cycle store should be required for approval, the entrance lobby should be airlocked and a recess in the wall facing Lower Green should be blocked off with a gate or form of planting. In response the entrance lobby would be controlled by video link to the flats and the recessed area is to be fenced to waist height with pyrcantha planted behind.

6. POLICY

6.1 NPPF (2019).
Key sections:
5. Delivering a sufficient supply of homes.
12. Achieving well-designed places.

6.2 London Plan 2021;
H1 (Increasing housing supply), H2 (Small sites), D1 London's form, character and capacity for growth, D3 (Optimising site capacity through a design lead approach), D5 (Inclusive design), D 6 (Housing Quality and standards), D11 (Safety & Security), G7 (Trees and woodlands), GG2 (Making the best use of land), GG4 (Delivering Homes Londoners need), GG6 (Increasing efficiency and resilience), HC 1 (Heritage conservation & growth), SI 2 (Minimising greenhouse gas emissions), SI.13(Sustainable drainage), T 2 (Healthy streets), T5 (Cycling), T6.1 (Residential Parking),

6.3 Merton Core Strategy 2011:
CS 9 (Housing targets), CS 11 (Infrastructure), CS 13 (Open Space, Nature conservation), CS 14 (Design), CS 15 (Climate change), CS 17 (Waste management), CS 18 (Transport) & CS 20 (Parking, Servicing & delivery).

6.4 Merton Sites and Policies Plan 2014:
DM C1 Community facilities, DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM D4 (Managing Heritage assets), DM EP 2 (Reducing and mitigating noise), DM EP4 (Pollutants), DM H2 (Housing mix), DM 02 (Trees, hedges and landscape features), DM T2 (Transport impacts of development) & DM T3 (Car parking and servicing standards).

6.5 London Housing Supplementary Planning Guidance 2016

6.6 GLA Guidance on Preparing Energy Assessments (2020).

6.7 DCLG Technical standards 2015

7. PLANNING CONSIDERATIONS

7.1 The key considerations are the principle of the use of the locally listed building for the provision of dwellings, the standard of accommodation provided, the impact of the development on the conservation area, the amenity of local residents and parking and servicing.

7.2 **Principle**
The building is locally listed rather than a statutorily listed building and therefore not subject to the caveat that the best use or re-use for listed buildings is to revert to their original use. Additionally as it was a purpose built

fire station and that use transferred to a nearby facility, weight cannot reasonably be afforded to a reversion to the original use.

7.3 The National Planning Policy Framework 2019, London Plan 2020 policy H1 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types. .

7.4 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

7.5 The revised housing targets in the new London Plan represent a significant increase in the level of housing provision with much to be provided from small sites such as this. This proposal will provide 9 flats for which there is an identified need and as the location is away from areas of naturally high footfall it would limit the range of suitable commercial uses and consequently the proposed residential use is considered a suitable alternative use.

7.6 **Need for additional housing**

7.7 The new London Plan has set the borough a yearly target of 918 new homes and this proposal will provide 9 units towards that challenging target but making optimal use of this small site. Policy H1 of the London Plan sets out that boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. The proposal to introduce residential use to this unused site responds positively to London Plan policies and Core Strategy planning policies to increase housing supply and optimise sites and is supported.

7.8 **Residential density**

A number of objections were concerned with the density of development. When originally submitted the application was subject to guidance from the 2016 London Plan in terms of density. Based on Table 3.2 of that London Plan with a Ptal of 3 the density of 236u/ha exceeded with the recommendation of 50-95 u/ha. However it should be noted that the current London Plan does not include a proscriptive density table and as the site includes very little unused land it will skew the figures to provide what appears to be such a very high density. There are only 9 units on the site and the increasingly diminished level of weight given to density and its reasoning for refusal in light of the drive to provide more housing mean that it is not considered that the level of density would warrant a reason for refusal of the application.

7.9 **Design/Bulk and massing/Appearance/Layout.**

Design of new buildings should ensure appropriate scale, density and appearance, respecting, complementing and responding to local characteristics (London Plan policy D3, LDF policy CS.14 and SPP policy DM

D2). As the site comprises a locally listed building in a conservation area London Plan policy HC1 and SPP policy DM D4 are also important material considerations and therefore any proposed changes need to be appropriate and sympathetic to the heritage asset and its wider setting.

7.9.1 **Design- Appearance.**

The scheme previously was presented to the DRP who encouraged a more modern design to the extensions however those designs were considered too modern by officers and the application was withdrawn. Arguably the most important design element of the existing building is its frontage and the roof design. The current proposals have undertaken various iterations through the pre application process and whilst it is acknowledged that by its very nature the change of use will involve some alterations to the appearance of the building it is considered that these have been sympathetically designed so as to retain and preserve the character of the original building by reflecting the various architectural details of the building and its materials and key architectural features such as the carved Fire Station sign, the use of steel for the balustrades and the design of the engine bay doors will be retained. The extensions are largely set to the rear and as can been seen from the accompanying CGIs the works for the new section of front facing roofing has been designed to mirror that of the original roof form whilst the new brickwork blends in with the existing building so as to be considered to conserve and hence the original building and its wider setting.

7.9.2 **Bulk and massing.**

London Plan policy D3 and SPP policy DM D2 require developments to relate positively and appropriately to the siting, rhythm, scale, density and proportions of surrounding buildings and the pattern and grain of existing streets.

7.9.3 The proposals involve no alterations to the height of the building but provide extensions at the side and rear which whilst they increase the bulk of the development they are considered to have been sympathetically positioned and designed so as to mitigate any negative impacts that may otherwise be associated with increased bulk and massing. Officers consider that through the design and choice of appropriate materials the proposals are optimising the site whilst still being respectful of neighbouring residents and the wider conservation area.

7.10 **Standard of accommodation.**

London Plan 2021 policies D3 (Optimising site capacity through a design lead approach), D5 (Inclusive design), D 6 (Housing Quality and standards), D11 (Safety & Security), SPP Policy DM D2, Core Strategy 2011 policies CS 9 Housing Provision and CS 14 Design are all policies that seek to provide additional good quality residential accommodation including the provision of a safe and secure layout.

Unit provision

Unit	Unit size	Proposed GIA	Required GIA	Proposed Amenity	Required Amenity
1	1B2P	59m2	50m2	7m2	5m2
2	2B3P	63m2	61m2	7m2	6m2
3	2B4P	77m2	70m2	7m2	7m2
4	1B2P	53m2	50m2	7m2	5m2
5	2B4P	71m2	70m2	7m2	6m2
6	2B4P	73m2	70m2	7m2	6m2
7	1B2P	51m2	50m2	5m2	5m2
8	1B2P	54m2	50m2	5m2	5m2
9	1B2P	50m2	50m2	5m2	5m2

7.10.1 All the proposed units meet or exceed the minimum space standards in terms of both Gross Internal Area and private amenity space having made amendments to provide all units with external amenity areas. The units provide regular shaped rooms which allows for more efficient use of furniture and most are dual aspect and consequently on balance the proposals are considered to provide a good standard accommodation for future residents.

7.11 **Affordable housing**

As the proposal is for less than 10 units there is no longer any requirement to provide either on site or off site affordable housing contributions.

7.12 **Neighbour Amenity.**

London Plan policy D3 and SPP policy DM D2 relate to amenity impacts such as loss of light, privacy, overshadowing and visual intrusion on neighbour amenity.

7.12.1 Objections were received in relation to the impact of the block on the amenity of neighbouring residents in Cricketers Court. Neighbours were concerned in relation to loss of privacy and overlooking from the new flats and in particular the upper floors. However at first and roof floor levels the blank wall of the Cricketers building is matched by the blank wall of the fire station whilst the windows in Flats 4 & 7 of this proposal will be high level facing those flats and obscure glazed facing Vestry Hall. This allows light in but prevents overlooking. The first floor terrace aligns with the blank wall of the Cricketers development. In view of this it is considered that the proposals would not

cause material harm to the amenity of neighbours from overlooking and loss of privacy.

7.12.2 Objections were received raising concerns that the proposals would result in a loss of light to neighbouring properties. However the combination of the relative positioning of the block to Cricketers House and the back drop of the bulk of Vestry Hall means that it is considered that no new shadows will be caused that would materially harm the amenity of neighbours from a loss of light.

7.13 **Parking, servicing and deliveries.**

Core Strategy Policy CS 20 requires proposals to have regard to pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.

7.13.1 The proposed use of the forecourt in front of the fire station has been revised a number of times following concerns about its use and the impact of and changes to its appearance. Only a small section of forecourt directly in front of the building falls within its curtilage, the remainder being Council property and which has been used for Vestry Hall parking since the station closed. The forecourt also provides access for refuse collections from the Vestry hall refuse store to the side and rear of the site. The situation is that there would be no parking provided for the flats and the main forecourt would retain its current tarmac finish to reflect the previous use with the area to the front of the building within the applicants control being finished in either cobblestones or resin bonded brickwork to differentiate the spaces. Being within the Council's control there would remain the possibility of future improvements being made to it but this would not be something that could be secured from the developer.

7.13.2 As the site is not within a Controlled Parking Zone it would not be possible to make the scheme permit free. The submitted transport assessment undertaken within the Lambeth Methodology framework demonstrates that at night there is sufficient car parking capacity within 500m of the site to accommodate parking that may result from the development.

7.13.3 The quantum of cycle storage provision is considered acceptable as are the quantum of refuse facilities although conditions requiring details of their design to be approved are recommended.

7.13.4 The applicant appears amenable to enabling improvements to both the overall appearance of the forecourt and the space alongside the side of the fire station by way of resurfacing and removal of a small area of tarmac so just leaving a hardstanding pathway for resident access and for the movement of the Vestry Hall refuse containers on collection day. The offer may be considered as mutually beneficial to both the applicant, enhancing the setting of their development, and the Council, covering costs for improvements to land in its management. A S106 could help deliver such

works and in the event that members are minded to approve officers recommend brokering a suitable S106 agreement for part of any resolution.

7.14 **Trees**

An objection was raised to the loss of a tree near Cricketers House but the proposals do not involve the removal of any trees but the proposals were accompanied by an arboricultural report setting out details for the protection of trees adjacent to the site, a Common Lime and a Norway Maple. A condition requiring the adoption of the tree protection methods shown in the report is recommended

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

8.2 A condition requiring the proposals to comply with current sustainability criteria for a development of this size is also recommended.

9. CONCLUSION

9.1 The proposals will provide 9 new flats that will provide a good standard of accommodation for future residents within what is considered to be an attractively and sympathetically designed conversion and extension to this locally listed building, development that will preserve the appearance and character of the Mitcham Cricket Green Conservation Area.

9.2 The proposals have been designed to mitigate their impact on neighbour amenity and are not considered materially harmful to the amenity of neighbours.

9.3 There remains capacity on the surrounding highway network for vehicles to park and the absence of o-site parking is not considered a basis to withhold permission.

9.3 A S106 agreement between the Council and the developer could enable improvements to the setting of the building that would enhance the appearance of the wider conservation area and objective embedded in the overall policy assessment of development proposals in conservation areas. Coupled with the imposition of suitable planning conditions, the proposal is considered to be acceptable and in compliance with relevant planning policies and is therefore recommended for approval.

RECOMMENDATION: Grant planning permission subject to:

a) The completion of a S106 agreement to secure environmental improvements to the forecourt and spaces around the application site, and the developer covering the Councils costs of drafting and monitoring the agreement, and

b) The following conditions.

A1 Commencement within 3 years.
A7 ;In accordance with plans; Site location plan, drawings 6724-PL-300 Rev C, 6724-PL-301 Rev F, 6724-PL -302 Rev E, 6724-PL -303 Rev E, 6724-PL -304 Rev D, 6724-PL-307 A01 & 6724-PL -308 and document 'Arboricultural Appraisal and Implications Assessment' compiled by ACS (Trees) Consulting dated Jan 27th 2020

B1 Materials to be approved
B4 Surface treatment
B5 Boundary treatment
C5 No cables or flues
C6 Refuse details to be approved
C7 Refuse details to be implemented
D9 No external lighting
F1 landscaping and planting
F2 Landscaping implementation
F8 trees site supervision
Tree protection in accordance with details shown in 'Arboricultural Appraisal and Implications Assessment' compiled by ACS (Trees) Consulting dated Jan 27th 2020

H1 Details of new vehicle access
H2 vehicle access to be provided
H4 Vehicle parking to be provided
H6 Cycle storage to be approved
H7 Cycle storage to be implemented
H10 Construction working method statement
H11 Parking management strategy
H12 Delivery and servicing plan
H13 Construction logistics plan

Non-standard condition No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.'
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

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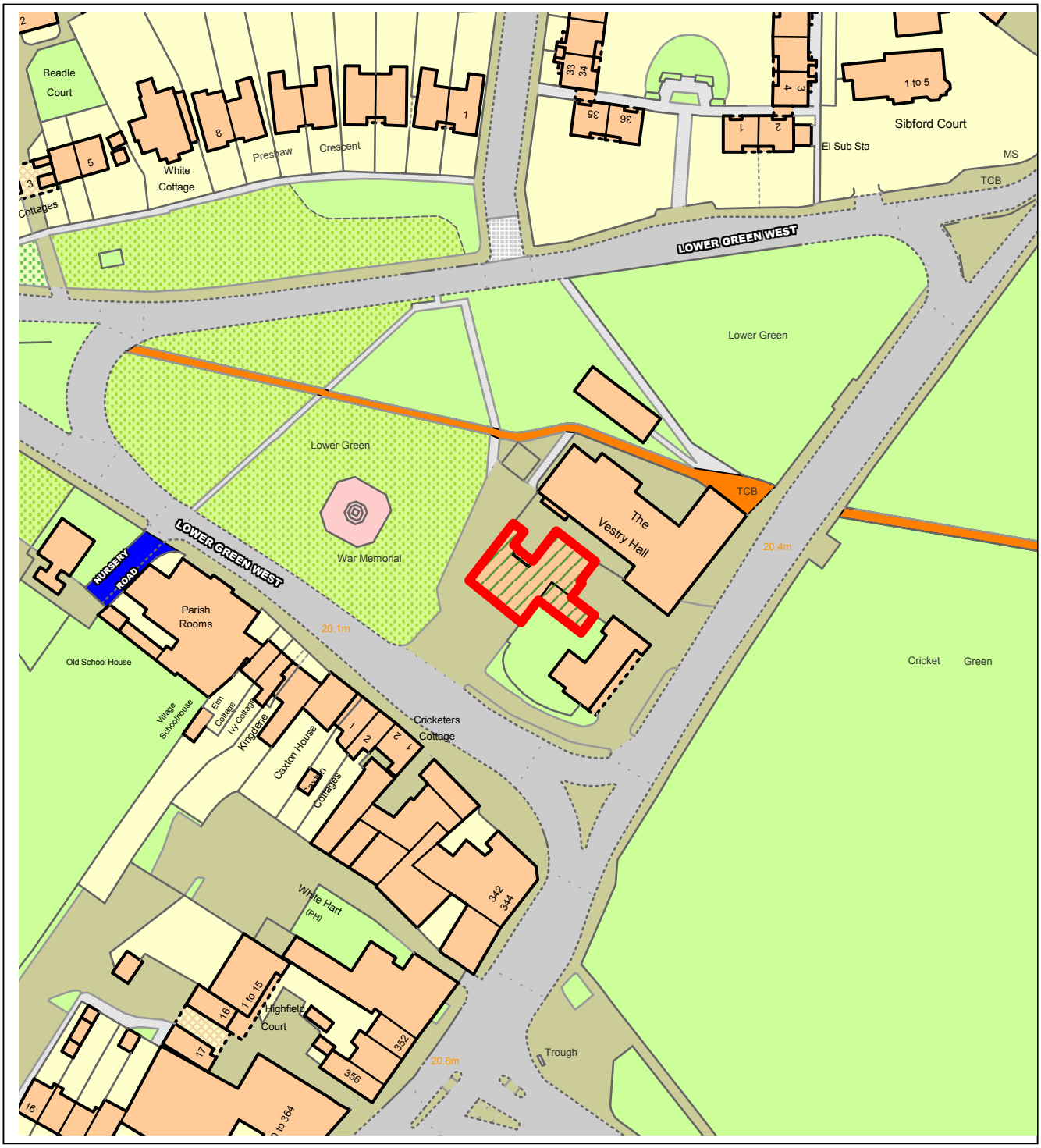
NORTHGATE SE GIS Print Template



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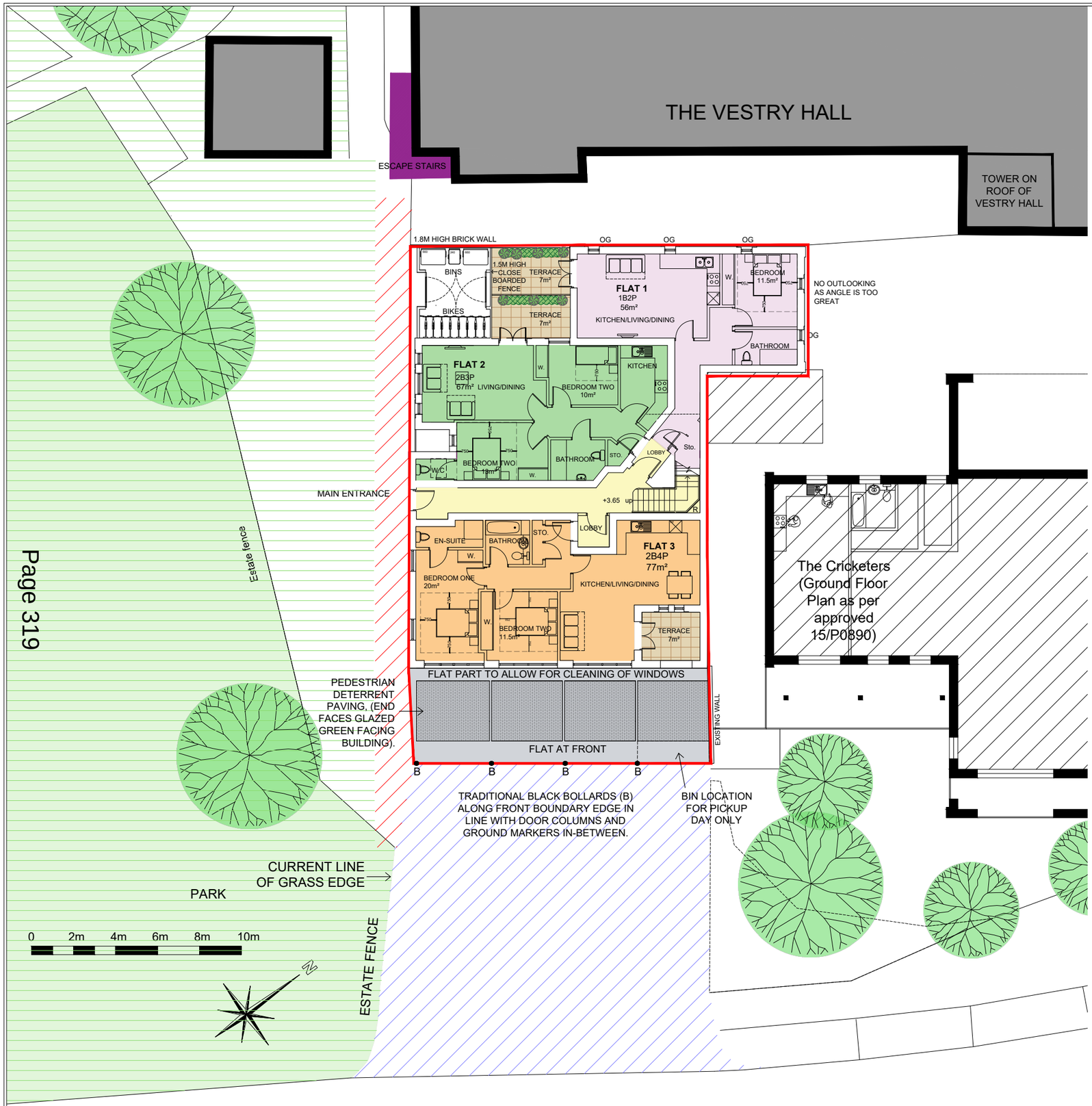
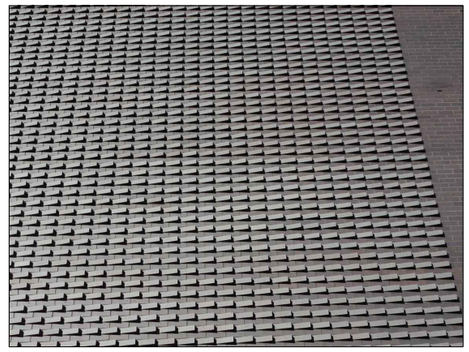


Indicative low-level bollard intent



Indicative textured surface intent

Key to Ownership

- Land Under T&V Ownership
- Land Under Council Ownership
- Site Pedestrian Right of Way
- Site Boundary

LOWER GREEN WEST

Page 319

DO NOT SCALE

REVISIONS

REV	DATE	NOTES	INITIAL
A	Feb 2021	Parking removed from front forecourt, terrace to flat 3 removed from forecourt. For building amendments see revision notes on drawing 6724-PL-303E.	KER
B	May 2021	Amended front forecourt to include low-level bollards and pedestrian deterrent paving. Escape stairs added to Vestry Hall. Part internal layout added to the 'Cricketers'.	KER

STATUS

Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

CLIENT	Parkside Property
PROJECT	Mitcham Fire Station 30 Lower Green West
TITLE	Proposed site layout
DRAWN BY	KER
CHECKED BY	
SCALE	1:200@A3
DATE	May 2021
CAD REF:	6724

DWG N°.	6724-PL-307	REV N°.	B

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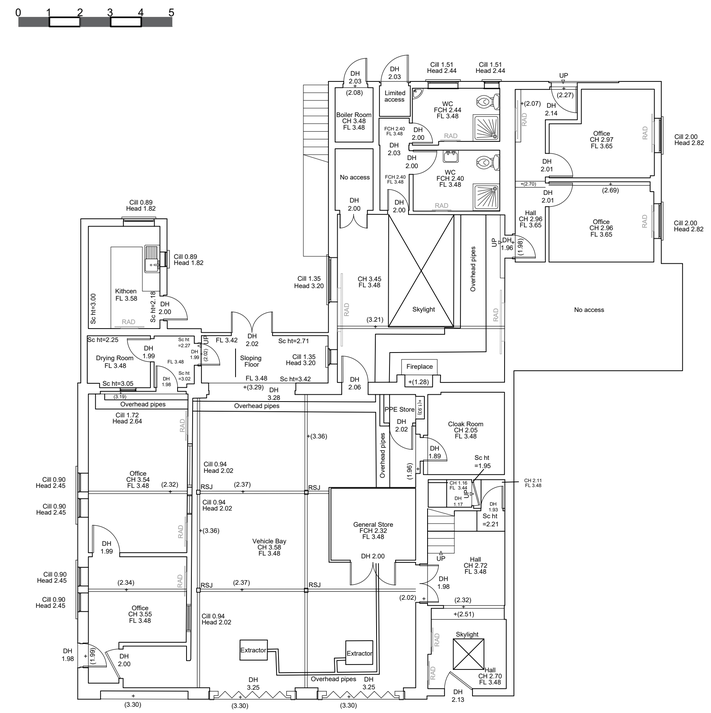
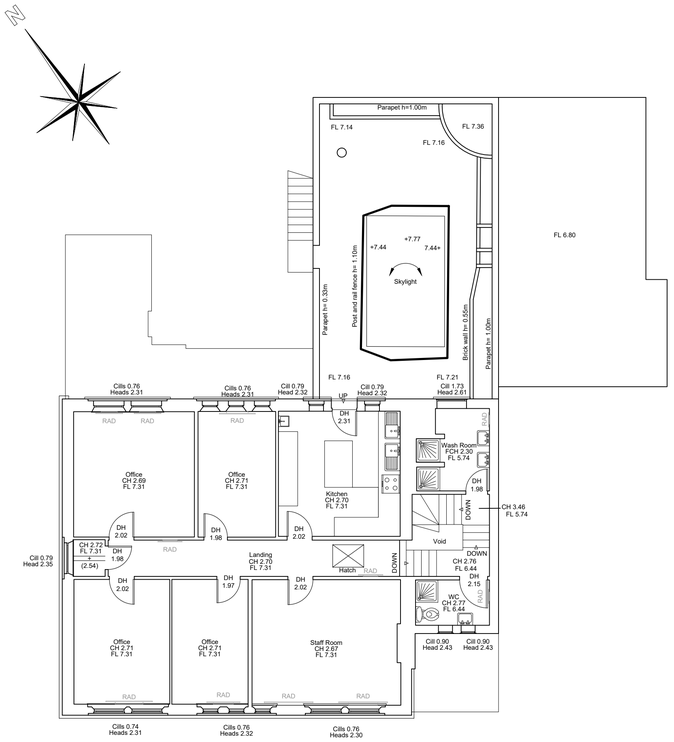
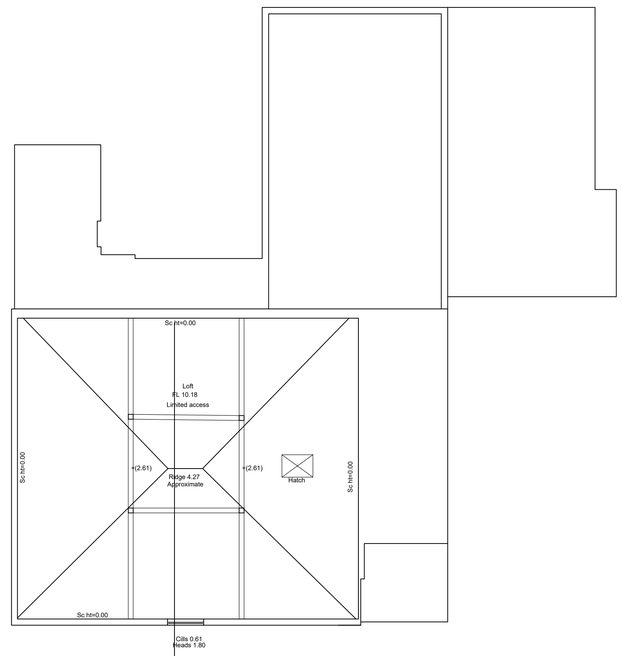


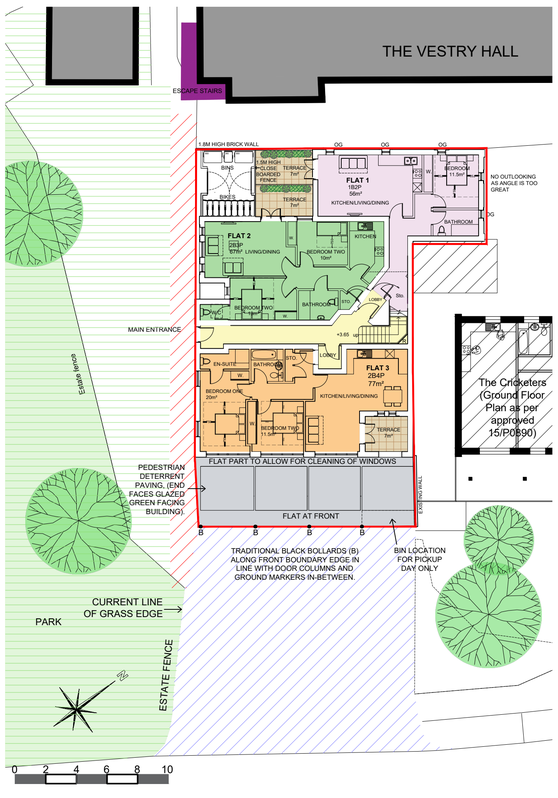
Existing Ground Floor Plan
Scale 1:100



Existing First Floor Plan
Scale 1:100



Existing Second Floor Plan
Scale 1:100



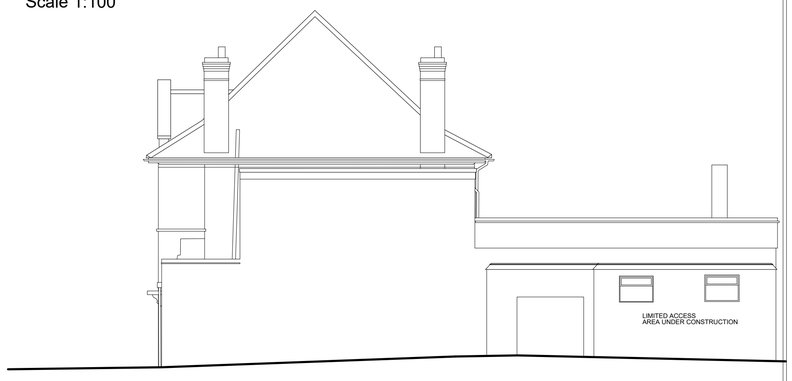
Location Plan with proposed
Scale 1:200

LOWER GREEN WEST

Existing South-West Elevation
Scale 1:100

Existing North-East Elevation
Scale 1:100

Existing North-West Elevation
Scale 1:100



Existing South-East Elevation
Scale 1:100

REVISIONS			DO NOT SCALE
REV	DATE	NOTES	INITIAL
A	July	Revised planting to forecourt	KER
B	Jan 2021	Revised propose site plan in location plan	KER
C	March 2021	Revised propose site plan in location plan	KER
D	May 2021	Revised propose site plan in location plan to include low-level bollards and pedestrian deterrent paving.	KER

STATUS
Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property			
Project	Mitcham Fire Station 30 Lower Green West, Mitcham			
Title	Location Plan Survey			
Drawn by	KR	Checked by	RT	
Scale	as noted @ A1	Date	May 2021	
CAD Ref:	6724			

Dwg N°	6724-PL-300	Rev	D

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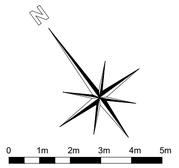
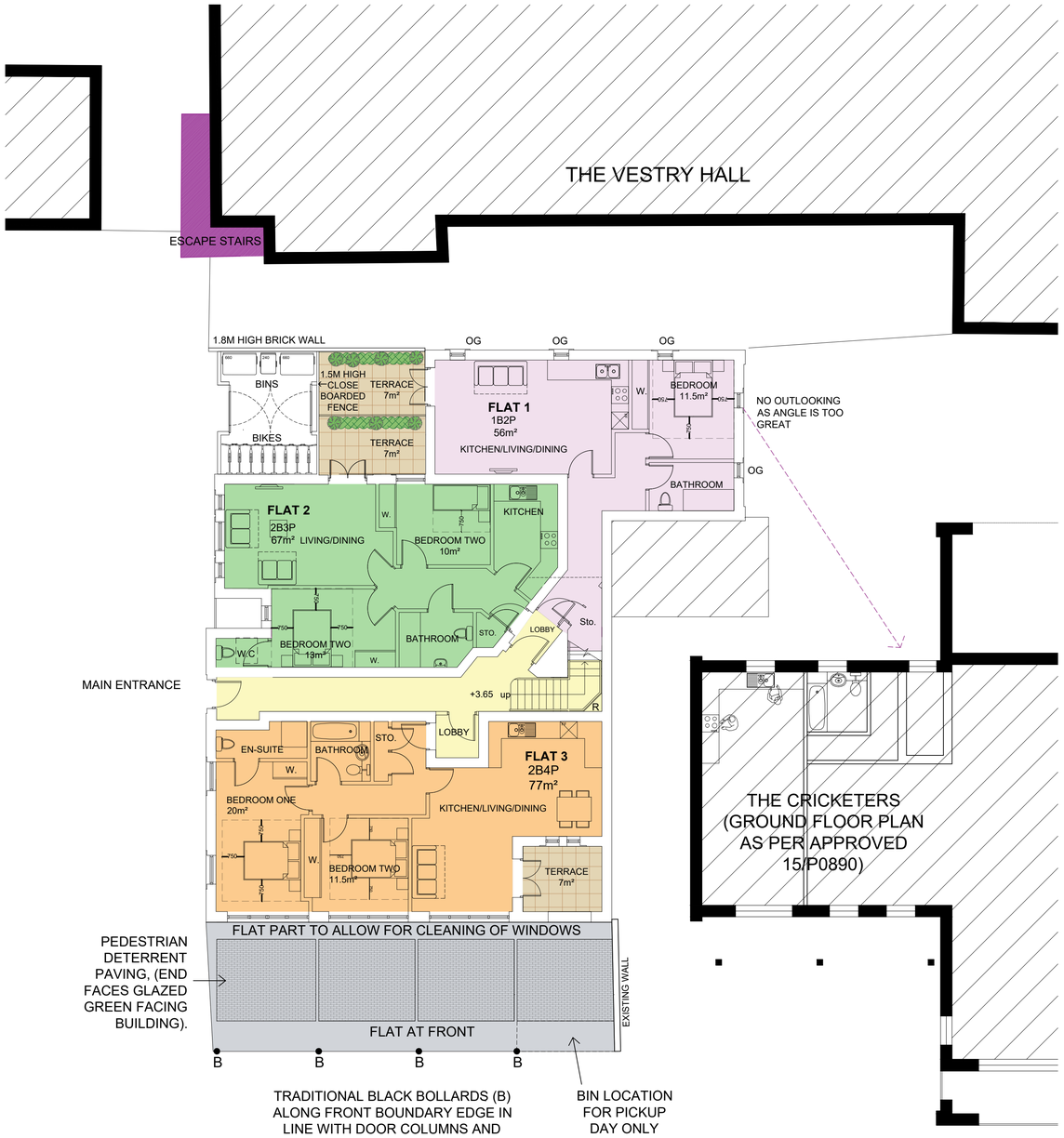
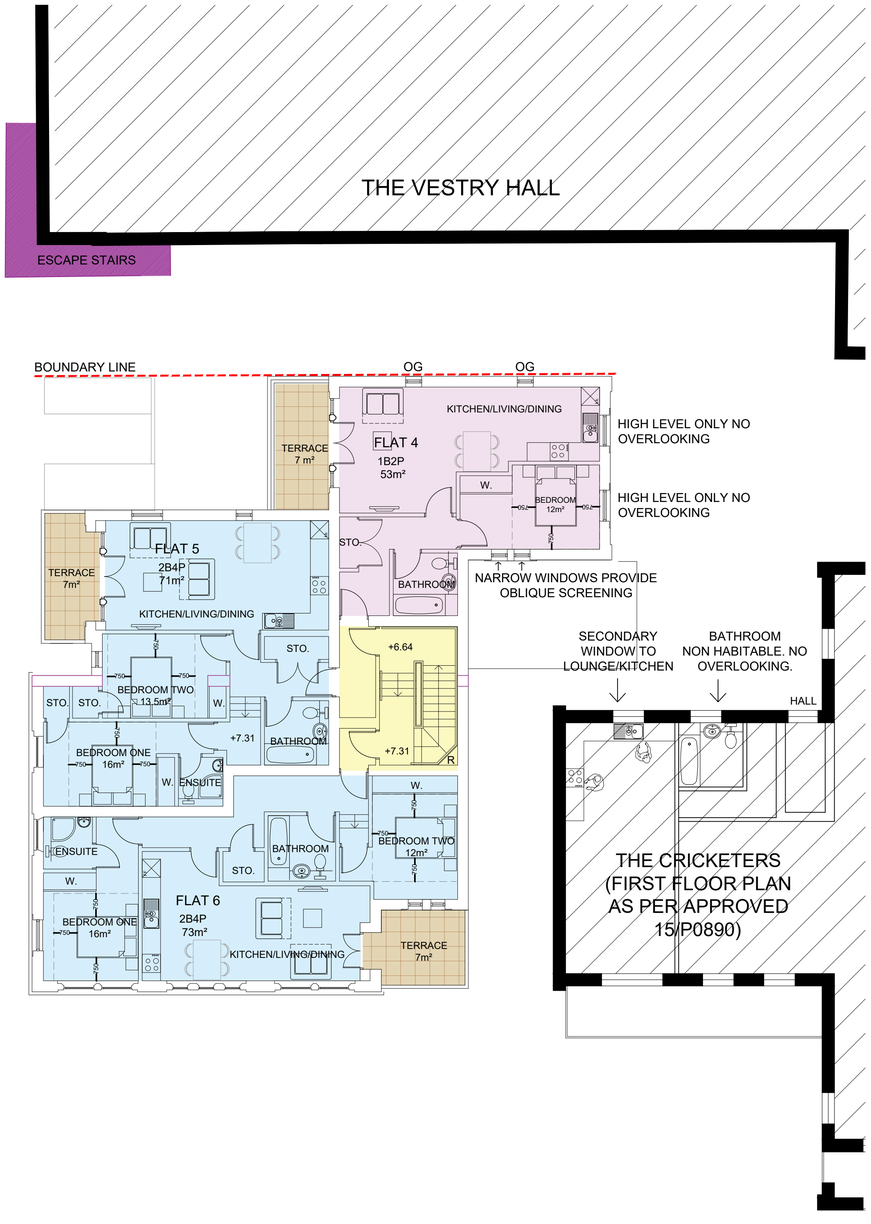
Accommodation Schedule		
Flat 1	1B2P	56m²
Flat 2	2B3P	67m²
Flat 3	2B4P	77m²
Flat 4	1B2P	53m²
Flat 5	2B4P	71m²
Flat 6	2B4P	73m²
Flat 7	1B2P	51m²
Flat 8	1B2P	54m²
Flat 9	1B2P	50m²





Ground floor



First floor

REVISIONS **DO NOT SCALE**

REV	DATE	NOTES	INITIAL
A	July	Revised planting to forecourt Added furniture and dimensions	KER
B	Oct	Bin and bike store relocated Railings across recess Accommodation schedule added	KER
C	10.11.20	First Floor revised to include larger private amenity to flat 5.	NG
D	Jan 2021	Revised private amenity for flats 1,2 and 3, 5 and 6. Revised location for front door and window to flat 1.	KER
E	Feb 2021	Revised entrance to flat one via main entrance. Reduced size of flat two. Removed terrace to frontage of flat 3 and incorporated terrace within building envelope. Escape stairs added for Vestry Hall. Part internal layout added to the 'Cricketers'.	KER

STATUS

Planning

Notes

Howard Fairbairn MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property		
Project	Mitcham Fire Station 30 Lower Green West, Mitcham		
Title	Proposed ground and first floor		
Drawn by	KR	Checked by	
Scale	1:100 @ A1	Date	May 2021
CAD Ref:	6724		

Dwg N°	6724-PL-303	Rev	E

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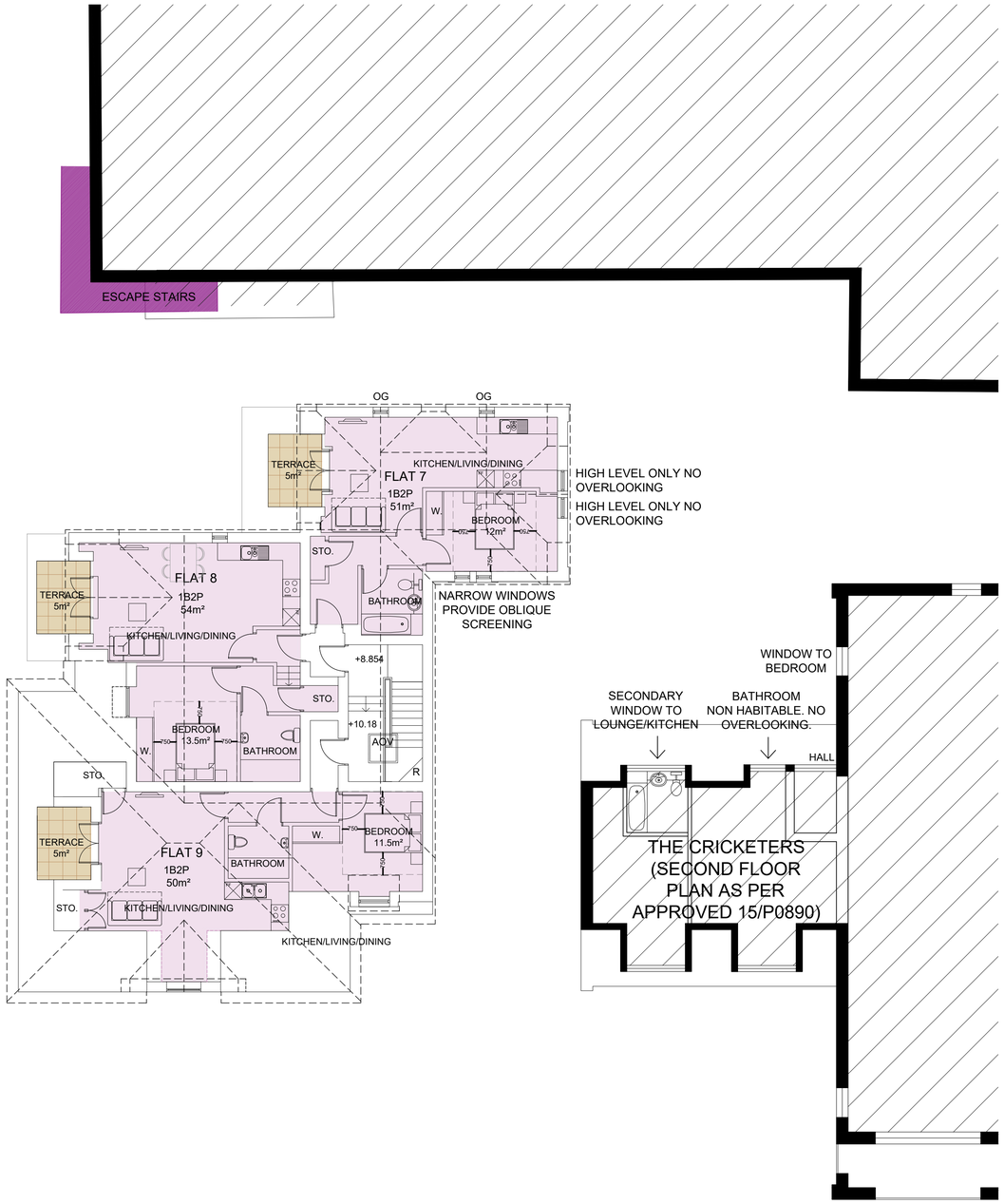
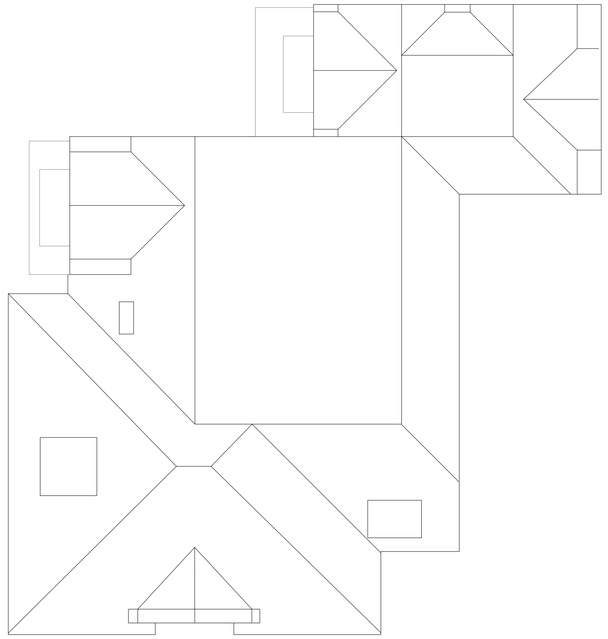
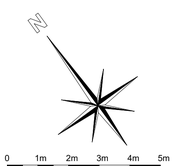
Accommodation Schedule		
Flat 1	1B2P	56m²
Flat 2	2B3P	67m²
Flat 3	2B4P	77m²
Flat 4	1B2P	53m²
Flat 5	2B4P	71m²
Flat 6	2B4P	73m²
Flat 7	1B2P	51m²
Flat 8	1B2P	54m²
Flat 9	1B2P	50m²



Second floor



Roof plan



REVISIONS **DO NOT SCALE**

REV	DATE	NOTES	INITIAL
A	July	Added furniture and dimensions Minor internal alterations	KER
B	Sep	Private terrace to flat 7 and 8. Decrease in floor space to flat 7 and 8.	KER
C	10.11.20	Second Floor and roof plan revised to include larger private amenity to flats 7, 8 and 9.	NG
D	Feb 2021	Revised accommodation schedule	KR
E	May 2021	Escape stairs added for Vestry Hall.Part internal layout added to the 'Cricketers'.	KR

STATUS

Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property		
Project	Mitcham Fire Station 30 Lower Green West, Mitcham		
Title	Proposed second floor and roof plan		
Drawn by	KR	Checked by	
Scale	1:100 @ A1	Date	May 2021
CAD Ref:	6724		

Dwg N°	6724-PL-304	Rev	E

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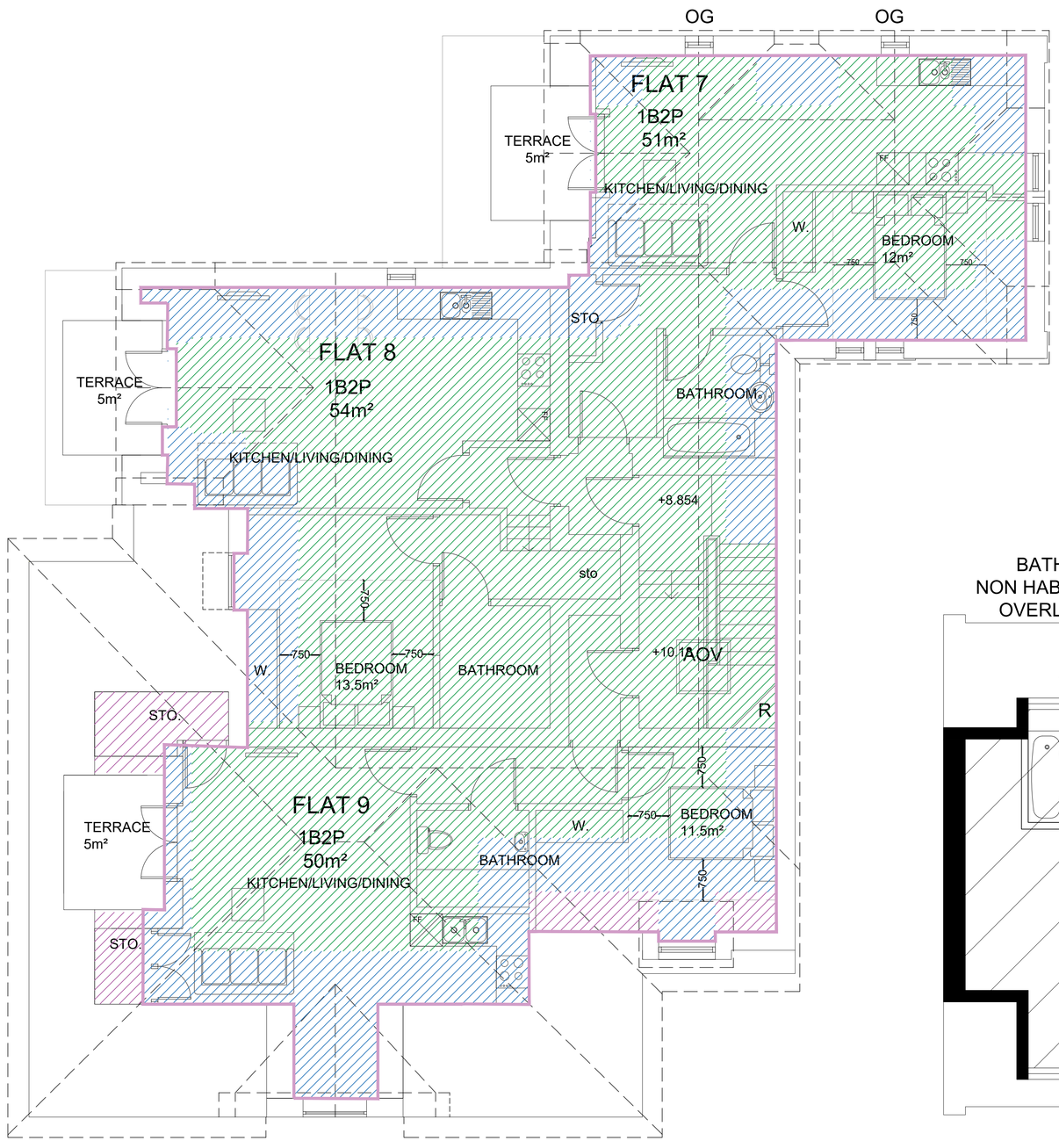
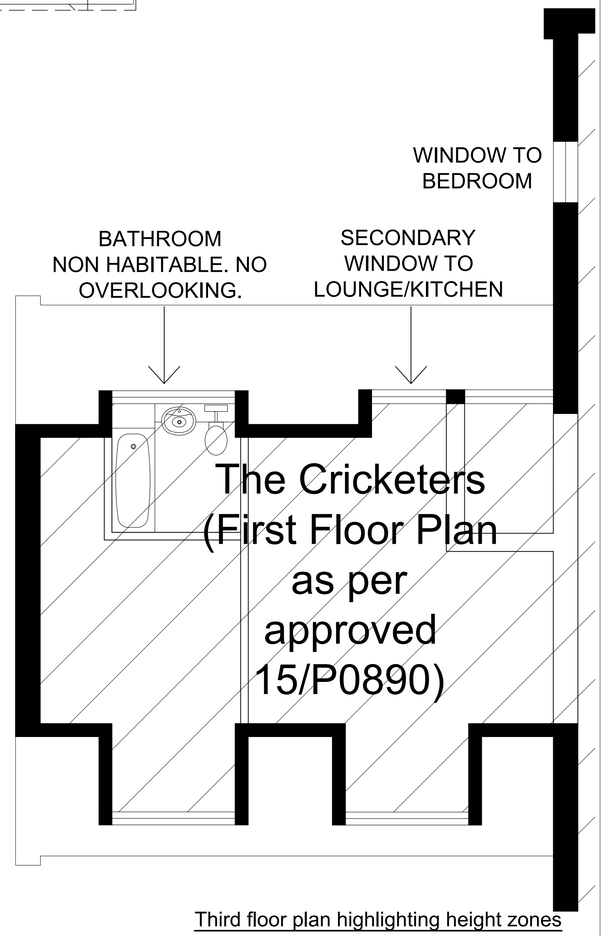


Height Zones

- 0 - 1.5m
- 1.5 - 2.4m
- 2.4m +



Third floor plan highlighting height zones
Scale: 1:50

0 1m 2m 3m 4m 5m

REVISIONS **DO NOT SCALE**

REV	DATE	NOTES	INITIAL
A	May 2021	Part internal layout added to the 'Cricketers'.	KR

STATUS
Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property
Project	Mitcham Fire Station 30 Lower Green West, Mitcham
Title	Second floor (height zones)
Drawn by	KR
Checked by	
Scale	1:50@ A1
Date	May 2021
CAD Ref:	6724

Dwg N°	6724-PL-308	Rev	A

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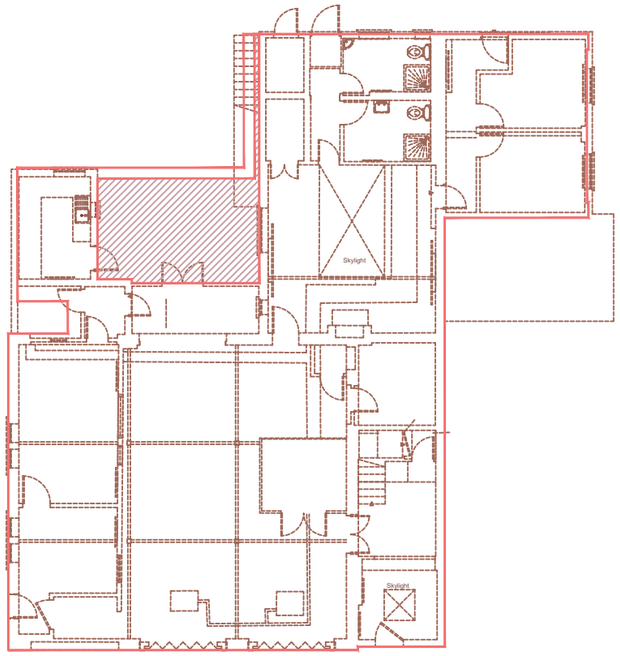
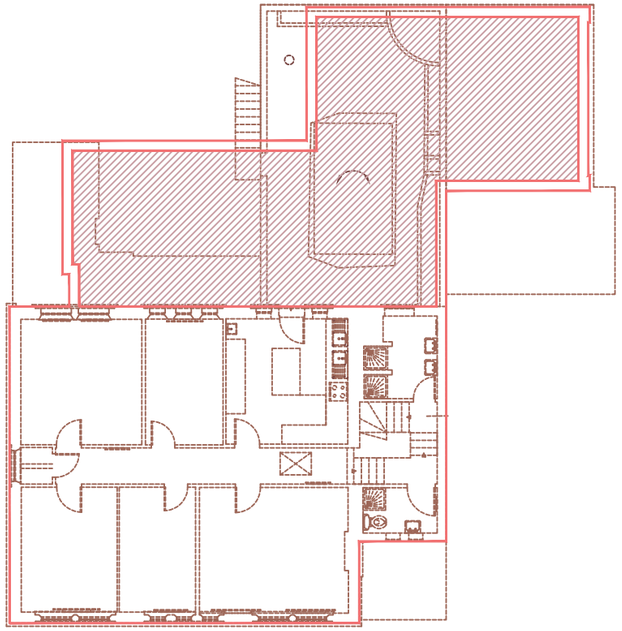
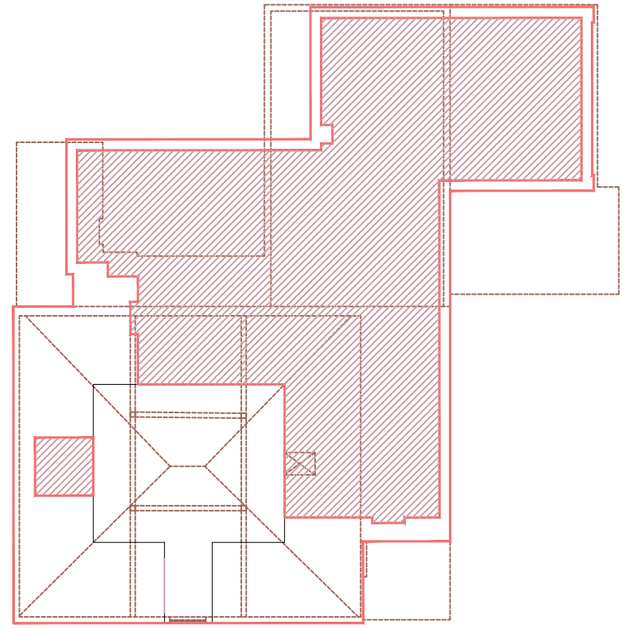


GROUND FLOOR



FIRST FLOOR



SECOND FLOOR

0 2m 4m 6m 8m 10m

KEY

EXISTING

ADDITIONAL FLOOR AREA CREATED BY PROPOSAL

PROPOSED OUTLINE

REVISIONS **DO NOT SCALE**

REV	DATE	NOTES	INITIAL
-	-	-	-

STATUS

Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property		
Project	Mitcham Fire Station 30 Lower Green West, Mitcham		
Title	Proposed Extension Diagram		
Drawn by	KR	Checked by	
Scale	1:200 @A3	Date	Aug 2020
CAD Ref:	6724		

Dwg N°	6724-PL-307	Rev	

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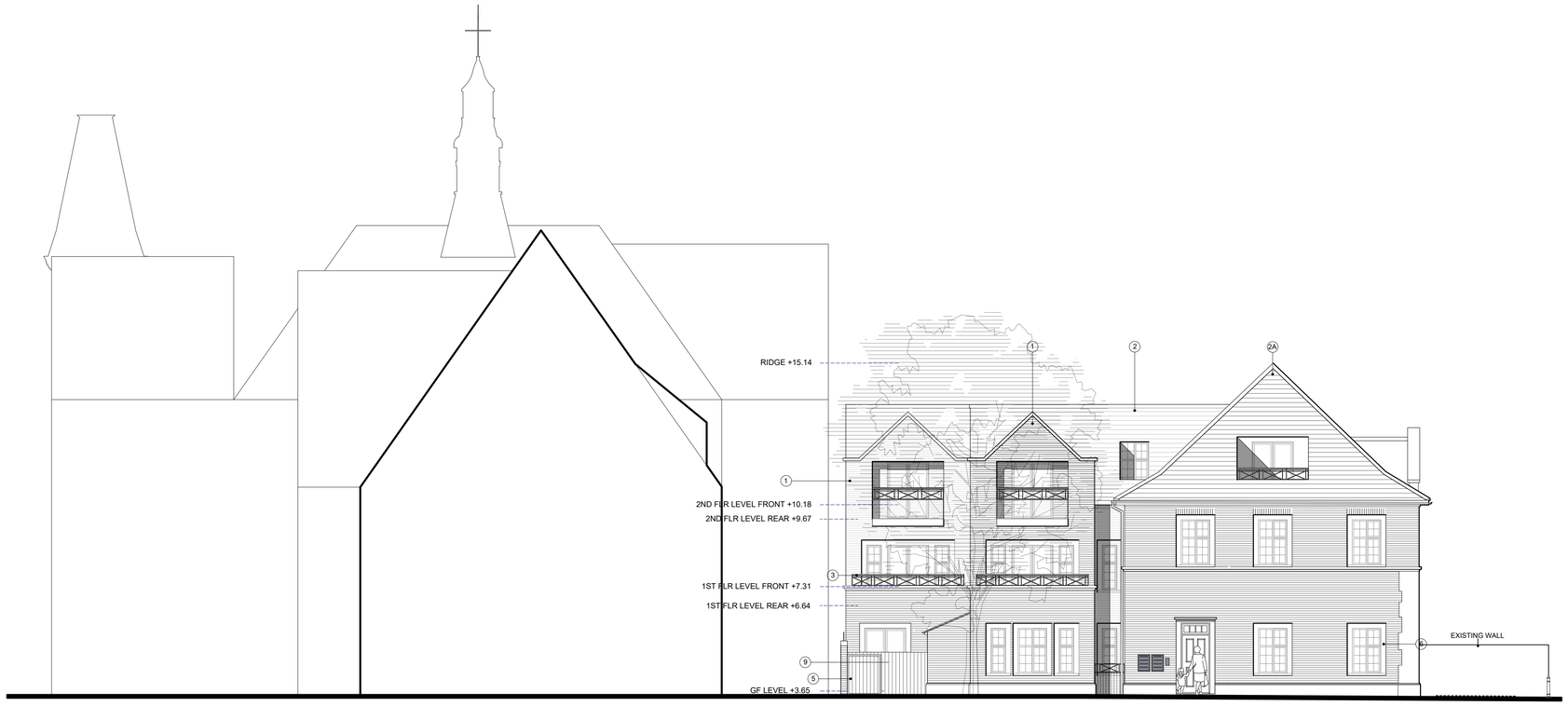
South-West Elevation



North-West Elevation

Key

1. Red/brown brick to match existing
2. Slate tiles
2A. New slate tiles
3. Steel balustrade
4. Lead dormer
5. Wooden bin store
6. Stone surrounds to match existing
7. Stone surrounds to match existing
8. Planters
9. 1.5m high close boarded timber fence
10. Mimic original fire doors
11. Stone coping to match red sandstone/terracotta colour

0 1m 2m 3m 4m 5m

REVISIONS **DO NOT SCALE**

REV	DATE	NOTES	INITIAL
A	July	Amended key Notes added to elevation Planting added to forecourt	KER
B	Sep	Two Terrace's added to North-West elevation Relocation of bin and bike store Railings added in-between recess	KER
C	Sep	North-west elevation revised to include larger private amenity to flats 7, 8 and 9.	NG
D	Jan 2021	North-west elevation revised to include new location for front door and window to flat 1.	KR
E	Feb 2021	South-west elevation revised; terrace removed from frontage and designed within the existing building envelope. South-west elevation revised; removal of gates to bin and bike store. Addition of timber fence inbetween bin/bike store and terrace to flat 1 and 2. Door and window removed to elevation of flat 1 and replaced with double doors.	KR
F	May 2021	Amended front forecourt to include low-level bollards and pedestrian deterrent paving.	KR

STATUS

Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property		
Project	Mitcham Fire Station 30 Lower Green West, Mitcham		
Title	Proposed South-West and North-West elevations		
Drawn by	KR	Checked by	
Scale	1:100 @ A1	Date	May 2021
CAD Ref:	6724		

Dwg N°	6724-PL-302	Rev	F

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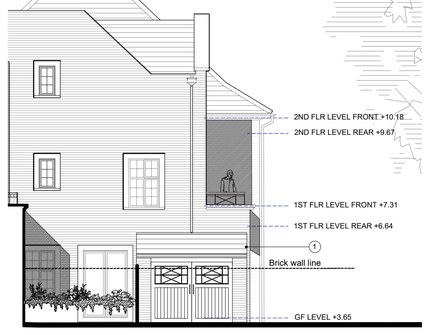
The Cricketers as approved

North-East Elevation

South-East Elevation

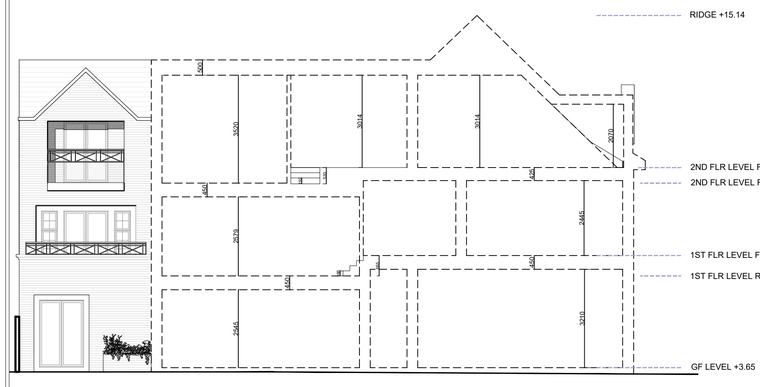


Part North-East Elevation

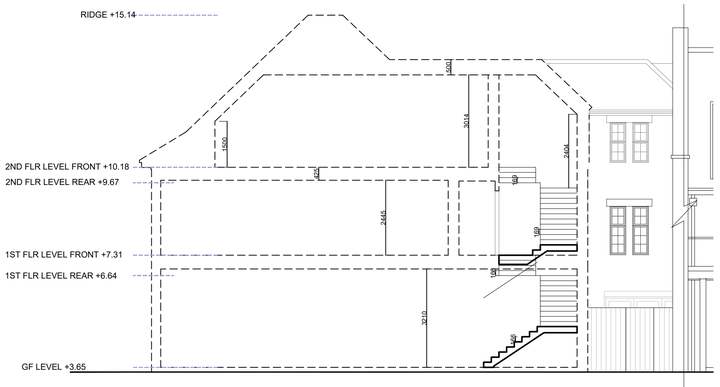
Key

1. Red/brown brick to match existing
2. Slate tiles
2A. New slate tiles
3. Steel balustrade
4. Lead dormer
5. Wooden bin store
6. Stone surrounds to match existing
7. Stone surrounds to match existing
8. Planters
9. 1.5m high close boarded timber fence
10. Mimic original fire doors
11. Stone coping to match red sandstone/terracotta colour

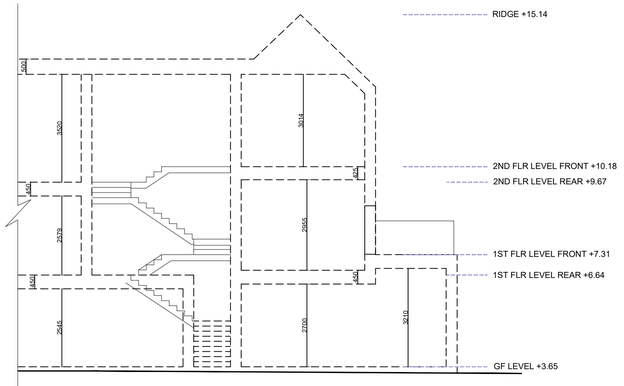
0 1m 2m 3m 4m 5m



Section A



Section B



Section C

REVISIONS		**DO NOT SCALE**	
REV	DATE	NOTES	INITIAL
A	July	Revised planting to forecourt Revised key and additional notes Minor amendments including door to south-east elevation and angle of roof to extension at front	KER
B	Sep	Revised planting to forecourt Revised key and additional notes Minor amendments including door to south-east elevation and angle of roof to extension at front	KER
C	Sep	Terrace added to North-East Elevation and Section A Relocation of bin and bike store.	KER
D	10.11.20	North-east elevation and Section A revised to include larger private amenity to flats 7, 8 and 9.	NG
E	Jan 2021	Section A revised to include new location for front door and window to flat 1.	KR
F	Feb 2021	Section A revised: replaced door and window to flat 1 with double doors onto terrace.	KR
G	May 2021	Amended front forecourt to include low-level bollards and pedestrian deterrent paving.	KR

STATUS

Planning

Notes

Howard : Fairbairn : MHK
chartered architects

Howard Fairbairn Project Services Ltd
Lambourn House, Redlands
Coulsdon
Surrey
CR5 2HT

Telephone
020 8665 5252

Website
hfmhk.com

Email
croydon@hfmhk.com

Client	Parkside Property		
Project	Mitcham Fire Station 30 Lower Green West, Mitcham		
Title	Proposed North-East, South-East Elevations and Sections		
Drawn by	KR	Checked by	
Scale	1:100 @ A1	Date	May 2021
CAD Ref:	6724		

Dwg N°	6724-PL-301	Rev	G

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	APPLICATION NO.	DATE VALID
	20/P0824	23.03.2020

Address/Site 63 Monkleigh Road
Morden
SM4 4EN

(Ward) Cannon Hill

Proposal: **DEMOLITION OF EXISITING SIDE EXTENSION, ERECTION OF EXTENSIONS AND THE ERECTION OF TWO SINGLE STOREY DWELLINGS AT THE REAR.**

Drawing Nos; Site location plan, drawings 01B, 02 & 03B

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant Planning Permission subject to conditions.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 36
- Press notice – No
- Site notice – Yes
- External consultations: Yes, Metropolitan Police
- Archaeological Priority Zone – No

- Flood risk zone – No, Zone 1
- Controlled Parking Zone – No
- Number of jobs created: N/A
- Density 27 Dwellings per hectare
- PTAL 2 on a scale of 0 to 6B where 6B is highest.
- Not located within a Conservation Area
- Locally or statutorily listed buildings –Nil

1 INTRODUCTION

1.1 The application is brought before the Committee due to the level and nature of objection.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a two storey end of terrace residential dwelling located on the eastern side of Monkleigh Road in Morden. The plot is of a 'wedge-shape' and is approximately 775square metres.

2.2 The surrounding area is predominantly residential in character, and comprises two storey 1930s semi-detached and terrace dwellings. Although many of the properties in the area have been altered toward the front, by way of front porches, insertion of roof lights and hip to gable conversions, the general degree of uniformity and spacing between the plots gives the area a sense of homogeneity and rhythm.

3. CURRENT PROPOSAL

3.1 Demolition of existing side extension and the erection of a rear and roof extensions extension and two single storey dwellings at the rear.

3.2 The existing single storey side extension would be demolished and a new full width single storey rear extension and hip to gable and rear roof dormer extension be added to the existing house.

3.3 The demolition of the side extension allows access to the rear garden where it is proposed to erect two new single storey detached dwellings. Following comments from neighbours and concerns of officers the size of the proposed units has been reduced from the 86sqm originally submitted to the smaller 72.5sqm units currently before members. Each house would be a 2 bedroom 4 person unit.

3.4 Each single storey house has the same layout and appearance with the main living areas to the front and the double bedrooms located to the rear. Each has its own garden area with refuse and cycle storage facilities and three off street parking bays are to be provided.

3.5 Each house would be finished in slim line buff brickwork and feature grey cladding panels and grey seamed roofs.

3.6 A total of six trees and three groups of trees will be removed to enable the proposed development. All the trees to be removed are within the C category.

4. RELEVANT PLANNING HISTORY

4.1 19/P2621 PRE-APPLICATION ADVICE FOR THE ERECTION OF AN END-OF-TERRACE DWELLINGHOUSE AND THE ERECTION OF 2X BUNGALOWS IN THE LAND TO THE REAR.

4.2 18/P4197: PRE- APPLICATION ADVICE FOR THE PARTIAL DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF SEMI DETACHED DWELLINGS WITH ALTERATIONS AND EXTENSION TO EXISTING DWELLING. ERECTION OF 2 DWELLINGS IN THE LAND TO THE REAR. – Pre-application report provided January 2019

4.3 98/P0521: ERECTION OF SINGLE STOREY SIDE EXTENSION – Granted 25/06/1998

5. CONSULTATION

5.1 The application was advertised by means of Site Notice and letters to 36 local residents. Following the amendments to the proposals the matter was re-consulted upon.

Nine letters of objection were received on the initial consultation raised concerns relating to;

- Visual intrusion from neighbouring gardens, trees and greenery replaced by roofs.
- Overbearing on neighbours
- Loss of visual gap of large gardens
- Loss of trees to back gardens, not clearly shown in the proposals
- Loss of biodiversity
- Area is in an area at High Risk of surface water flooding.
- Increased flood risk in Monkleigh Rd and Westcroft Gardens
- Bad precedent for future back garden development
- Overdevelopment of the area, triples the existing density
- Regeneration of Morden town centre will provide more homes without proposals like this overdeveloping back gardens

- Their own D&A statement notes the proposals are not characteristic of the area.
- Not in keeping with predominant terracing
- An underground stream feeding Cannon Hill Park lake runs under the site
- Access to the site should just be from the proposed entrance and not via the shared access between 55 & 57 Monkleigh Rd
- Claims of a precedent for a scheme at Woodville Road is a 1 mile away and 15 years ago.
- Proposed crossover is bigger than Merton's Highways policy allows
- Loss of light from proposed extensions at the existing house
- Increased noise and disturbance.
- There is a charge against this property so if developers get into financial trouble it could be left unfinished for years

5.2 Five responses were received on the re-consultation for the smaller scheme raising concerns related to;

- Emergency access
- Underground waterway
- It is in breach of the Merton Park Estate covenant that limits only one house per plot
- Previous concerns remain relevant
- Loss of privacy from proposed living areas looking into neighbouring properties

5.3 **Transport Planning Officer.** No objections to the proposals subject to the imposition of suitable conditions.
• Car parking as shown maintained
• Condition requiring cycle parking (secure & undercover)
• Amendments to dropped kerb
• Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work

5.4 **Merton Waste services**. Satisfied that the proposed refuse arrangements were acceptable.

5.5 **Merton Flood Risk Officer.** No records for any underground water ways.

To cover off risks which have been received via representations, it is recommended to proceed on the basis of an appropriately worded pre-

development commencement condition requiring site specific ground investigation to include trial pits, groundwater standpipes and/or boreholes to explore the hydrological regime further on this site and to ensure that (if required) the GI report suggest suitable mitigation, if groundwater levels are high or an underground stream is found - which can ultimately be factored into the design and site layout etc."

5.6 **Merton Arboricultural officer.** No objections to the proposals. The level of development is such that there was little scope for an equal number of new trees to replace the six that would be lost but has recommended a landscaping condition be attached to ensure the provision of at least one suitable specimen.

6. RELEVANT PLANNING POLICY

6.1 National Planning Policy Framework 2019

Section 5 Delivering a sufficient supply of homes
Section 9 Promoting sustainable transport
Section 11 Making effective use of land
Section 12 Achieving well-designed places

6.2 Merton Sites and Policies Plan July 2014 Policies:

DM D1 Urban design and the public realm
DM D2 Design considerations in all developments
DM D3 Alterations and extensions to existing buildings
DM H2 Housing Mix

DM F1 Flood risk management
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

DM O2 Nature Conservation, trees & landscape features
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to the road network

6.3 Merton Core Strategy 2011 Policies:

CS8 Housing Choice
CS9 Housing Provision
CS 10 Open Space, Nature conservation , Leisure and Culture

CS14 Design
CS15 Climate Change
CS16 Flood Risk Management
CS17 Waste Management
CS18 Active Transport
CS20 Parking, Servicing and Delivery

6.4 London Plan 2021 Policies:

H1 Increasing housing supply
H2 Small sites
D1 London's form, character and capacity for growth,
D3 Optimising site capacity through a design lead approach
D5 Inclusive design
D6 Housing Quality and standards
D11 Safety & Security
G5 Urban Greening
G7 Trees and woodlands
GG2 Making the best use of land
GG4 Delivering Homes Londoners need
GG6 Increasing efficiency and resilience
SI 2 Minimising greenhouse gas emissions
SI 12 Flood risk management
SI.13 Sustainable drainage
T2 Healthy streets
T5 Cycling
T6.1 Residential Parking

6.5 Other guidance:

DCLG Technical Housing Standards - Nationally Described Space Standard 2015
Mayor's Housing SPG 2016
Sustainable Design and Construction SPG 2014
Merton's Authority Monitoring Report 2017-2018

7. PLANNING CONSIDERATIONS

7.1 The key considerations are the principle of the use of the backland site for the provision of dwellings, the standard of accommodation provided, the impact of the development on the area, the amenity of local residents, flood risk and parking and servicing.

7.2 **Principle**

The National Planning Policy Framework 2019, London Plan 2021 policy H1 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types. Policy D3 of the London Plan 2021 requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

7.2.1 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

7.2.2 As the site is for dwellings in a back garden Core Strategy policy CS 13 is considered relevant and such proposals must be justified in relation to the;

- Local context and character of the site
- Biodiversity value of the site
- Value in terms of green corridors and green island
- Flood risk and climate change impacts

7.2.3 Whilst these issues are revisited in more detail later in this report, although houses in rear gardens are not characteristic of the area, the site is not readily visible from the street, the land is given to grass and small trees of limited biodiversity value and as such has no ‘green’ classification and there are no known flood risk issues.

7.2.4 The proposals will provide two new homes for which there is a recognised need and in view of no conflict with policy CS 13 the principle is considered acceptable.

7.3 **Need for additional housing and residential density**

7.3.1 The National Planning Policy Framework requires Councils to identify a supply of specific ‘deliverable’ sites sufficient to provide five years’ worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy H1 of the new London Plan 2021 sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London Borough of Merton is 9,180. The London Plan 2021, paragraph 4.1.10 states “The increase in housing delivery required by these targets may be achieved gradually and boroughs are encouraged to

set out a realistic and, where appropriate, stepped housing delivery target over a ten-year period. This should be supported by a clear articulation of how these homes will be delivered and any actions the boroughs will take in the event of under delivery".

7.3.3 In accordance with para 4.1.10 of the new London Plan Merton will submit a stepped target for the ten year period to the Secretary of State in Merton's new Local Plan later in 2021.

7.3.4 As at June 2021:

· Merton's housing target is 918 homes per annum until 2028/29;

· the five year cumulative target is 4,590 homes (918 homes x 5 years);

· the London Borough of Merton can demonstrate a supply of 4,981 homes to be built within the next five years;

· Overall, Merton has 109% of the five-year supply.

7.3.5 The proposal would make a valuable contribution of two new homes towards the borough's housing stock

7.3.6 There is an identified need for more housing and while the proposals would result in an increased density, the relevance of density is limited in assessing the merits of infill developments where design and impact on surroundings may reasonably be accorded greater weight.

7.4 **Design/Bulk and massing/Appearance/Layout.**

London Plan 2021 policy D3 and SPP policy DM D2 require that the design of new buildings should ensure appropriate scale, density and appearance, respecting, complementing and responding to local characteristics whilst promoting high quality inclusive design, enhancement of the public realm and local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

7.4.1 **Bulk and massing.**
Developments should relate positively and appropriately to the siting, rhythm, scale, density and proportions of surrounding buildings and the pattern and grain of existing streets.

7.4.2 The works to the existing house are of a design and scale that are a common feature in the local area and no issue is raised to this element of the proposals.

7.4.3 The proposals for the new houses would not be readily visible from the street but would be visible from neighbouring houses and gardens. For this reason the height of the houses has been limited to a single storey with the roof pitch being away from neighbouring boundaries. Following the concerns of neighbours and officers the footprint of the units has also been reduced to what is considered a more acceptable size. They are considered to have been sympathetically positioned and designed so as to mitigate any negative impacts that may otherwise be associated with bulk and massing.

7.4.4 **Design- Appearance.**

The mix of light buff bricks, light grey cladding board and the light coloured seamed roofs create a sense of lightness to the buildings similar to what might be associated with an outbuilding and this is considered by officers to mitigate the appearance and character of residential houses in the back garden. It may reasonably be concluded that the design and choice of materials the proposals are optimising the site whilst not harming neighbouring residents and the wider area.

7.4.5 **Design- Layout and standard of accommodation**

Both of the new units are 2 bedroom 4 person units, and with a gross internal area of 72.5 sqm they exceed the required minimum standard of 70sqm. The proposed units also both meet the requirement for 50sqm of garden space whilst still allowing the existing house to retain a policy compliant 50sqm of garden.

7.4.6 SPP Policy DM D2, Core Strategy 2011 policies CS and CS 14 and London Plan policy D3 are all policies that seek to provide additional good quality residential accommodation including the provision of a safe and secure layout.

7.4.7 In addition to the proposed units meeting or exceeding the minimum internal space and private amenity space requirements the units provide regular shaped rooms which allows for more efficient use of space and furniture. The two houses are dual aspect and provide good levels of daylight for future occupiers. In view of these factors the proposals are considered to provide a good standard accommodation for future residents.

7.5 **Neighbour Amenity.**

London Plan policy D3 and SPP policy DM D2 relate to amenity impacts such as loss of light, privacy, overshadowing and visual intrusion on neighbour amenity and the need for people to feel comfortable with their surroundings.

7.5.1 Objections that were received in relation to the impact of the proposals on amenity related mostly to visual intrusion, an over bearing development and a loss of privacy. The proposals would be readily visible from overlooking

neighbouring properties but the choice of materials has sought to mitigate that impact. The size, height, design and placement of the houses is such that there would be no overshadowing and no greater loss of privacy than would be the case from anyone simply walking around the existing garden space. Consequently it is not considered that there would be sufficient material harm to neighbour amenity to refuse the application.

7.6 **Flood risk**

The site is located within Flood Zone 1 and as such is not classified as an area at risk of flooding and London Plan 2021 policy SI 12, SPP policy DM F1 and Core Strategy policy CS16 require proposals not to increase the risk of flooding.

7.6.1 Despite the Zone 1 designation neighbouring residents raised concerns that there was an underground waterway under the site that feeds a lake on Cannon Hill Park as well as an above ground stream running through the existing garden. The above ground stream transpired to be an ornamental man made feature set in a waterproofed enclosure fed by a pumping system.

7.6.2 In relation to the underground stream the Council's flood risk team have no records of any such waterway. However, in order to ensure that there is no waterway for which records are not held the team have recommended that in the event consent is granted an appropriately worded pre-development commencement condition is added. This would require site specific ground investigation (GI) to include trial pits, groundwater standpipes and/or boreholes to explore the hydrological regime further on this site and to ensure that (if required) the GI report suggests suitable mitigation, if groundwater levels are high or an underground stream is found.

7.7 **Parking, servicing and deliveries.**

Core Strategy Policy CS 20 requires proposals to have regard to pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.

7.7.1 The proposals will provide two off street parking bays for the existing house. The originally proposes dropped kerb arrangement has been modified following concerns of neighbours and to accord with the requirements of the highways section and consequently a separate dropped kerb will provide access to three parking bays in front of the new houses.

7.7.2 There is space set aside for cycle storage provision along with refuse storage but with no details having been provided conditions requiring details of their design to be approved are recommended.

7.8 **Trees and Biodiversity**

The site currently comprises a large and predominantly grass covered area which includes a number of trees. The accompanying Arboricultural Impact Assessment noted that there were two character groups of trees on site. “The first character group includes the larger middle aged trees found growing to the rear of the site. The trees in this character group are in a good condition but due to their size, are of limited amenity value to the local area. The second character group includes the smaller, garden scale trees found growing across the site. The trees in this character group are in a good condition but due to their size, are of limited amenity value to the local area”. As such the area does not make a significant contribution to biodiversity in the area but even with the new houses and the parking area there would still be 150sqm of garden space retained on site. Whilst not shown in the proposals it is considered that there would be space on site to allow the provision of a replacement tree to soften the impact of the development and consequently this would not conflict with the backland development criteria of policy CS13.

7.9 The incorporating of green roofs can assist in both promoting biodiversity and also regulate the rate of runoff into the ground from new buildings. Notwithstanding the proposed roofing materials, there would be merit in requiring green roofs in this instance which may have the added benefit of softening the visual impact of the proposals when viewed from the first floors of surrounding properties.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS.

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

8.2 A condition requiring the proposals to comply with current sustainability criteria for a development of this size is also recommended.

9. CONCLUSION

9.1 The proposals will allow for extensions to the existing house that would be consistent with a larger number of similar works throughout the borough. They will also provide 2 new small family sized bungalows that will provide a good standard of accommodation for future residents within what is considered to be an attractively and sympathetically designed development that will not detract from the appearance and character of the local area.

9.2 The proposals have been designed to mitigate their impact on neighbour

amenity and are not considered materially harmful to the amenity of neighbours. Incorporation of green roofs would assist in promoting biodiversity and soften the visual impact of the proposals.

9.3 Subject to the imposition of suitable planning conditions, the proposal is considered to be acceptable and in compliance with relevant planning policy and is therefore recommended for approval

RECOMMENDATION: Grant planning permission subject to the following conditions:

A1 Commencement within 3 years.
A7; In accordance with plans; Site location plan, drawings 01B, 02 & 03B
B2 Materials as specified (other than roofing materials)
B4 Surface treatment
B5 Boundary treatment
C5 No cables or flues
C6 Refuse details to be approved
C7 Refuse details to be implemented
D9 No external lighting
F1 Landscaping and planting
F2 Landscaping implementation
H1 Details of new vehicle access
H2 vehicle access to be provided
H4 Vehicle parking to be provided
H6 Cycle storage to be approved
H7 Cycle storage to be implemented
H10 Construction working method statement
H11 Parking management strategy
H12 Delivery and servicing plan
H13 Construction logistics plan

Non-standard condition No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.'

Reason: To ensure that the development achieves a high standard of sustainability
and makes efficient use of resources and to comply with the following Development

Plan policies for Merton: Policy SI 2 of the London Plan 2021 and Policy CS15 of
Merton's Core Planning Strategy 2011

Non-standard condition Prior to the commencement of any works to the rear of the site to enable the construction of the bungalows hereby approved, a site specific ground investigation to include trial pits, groundwater standpipes and/or boreholes to explore the hydrological regime further on this site shall be undertaken. The details and results of this investigation, along with any suggested suitable mitigation if groundwater levels are high or an underground stream is found, shall be submitted to and approved in writing by the Local Planning Authority. **Reason;** To protect existing and proposed dwellings from the risk of flooding and water related damage and to comply with the following Development Plan policies for Merton: Policy SI 12 of the London Plan 2021, Policy DM F1 of the Adopted Merton Sites and Policies Plan 2014 and Policy CS16 of Merton's Core Planning Strategy 2011

Non-standard condition. Prior to commencement of development above ground level of the two dwellings hereby approved, details of a green roof shall be submitted to the Local Planning authority. The dwellings shall be constructed in accordance with such details as are approved. **Reason.** To promote biodiversity, to better regulate surface water runoff rates and to safeguard the visual amenities of neighbouring occupiers and to comply with the following Development Plan policies for Merton: Policy G5 of the London Plan 2021, Policy DM O2 of the Adopted Merton Sites and Policies Plan 2014 and Policy CS13 of Merton's Core Planning Strategy 2011

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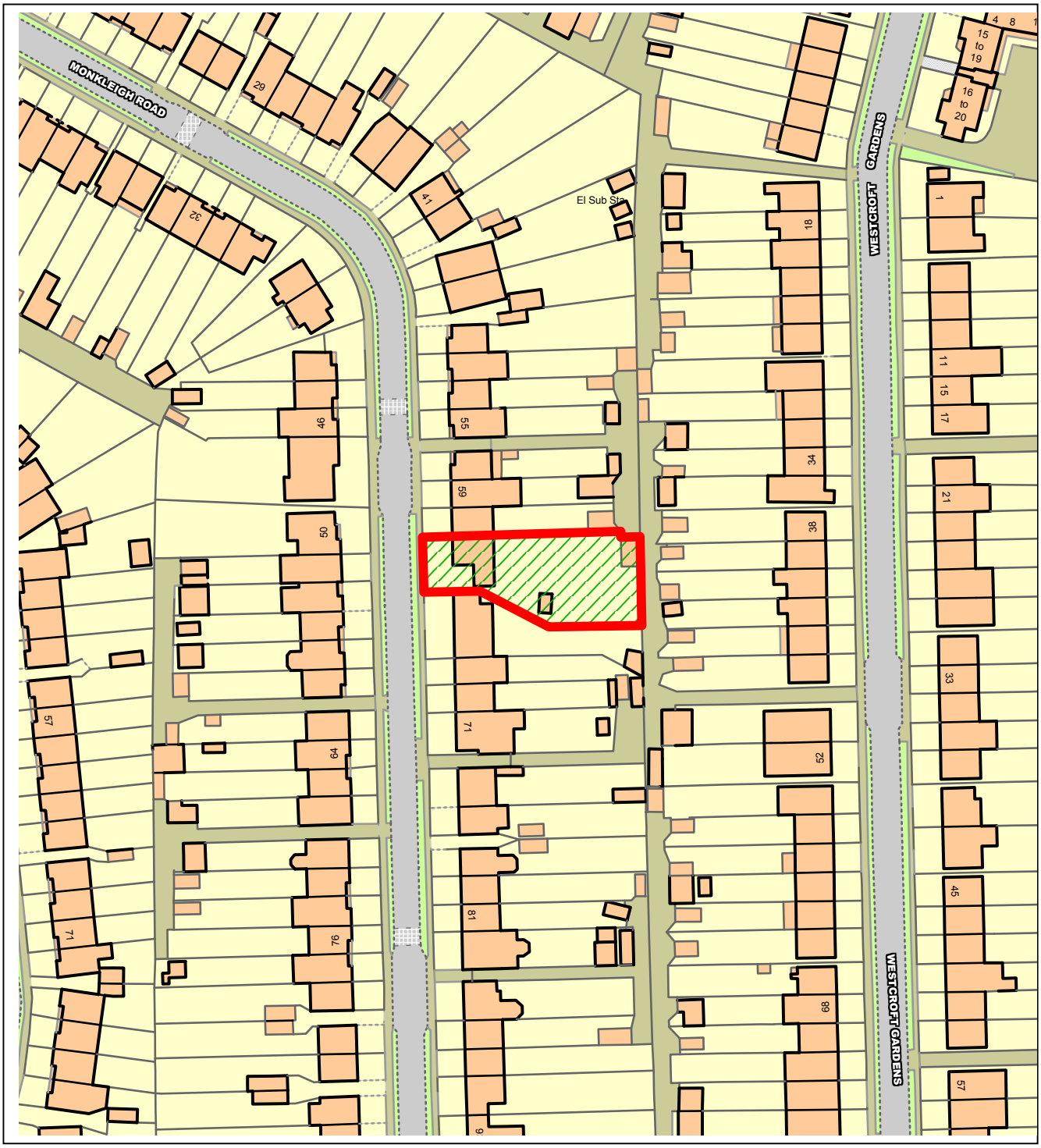

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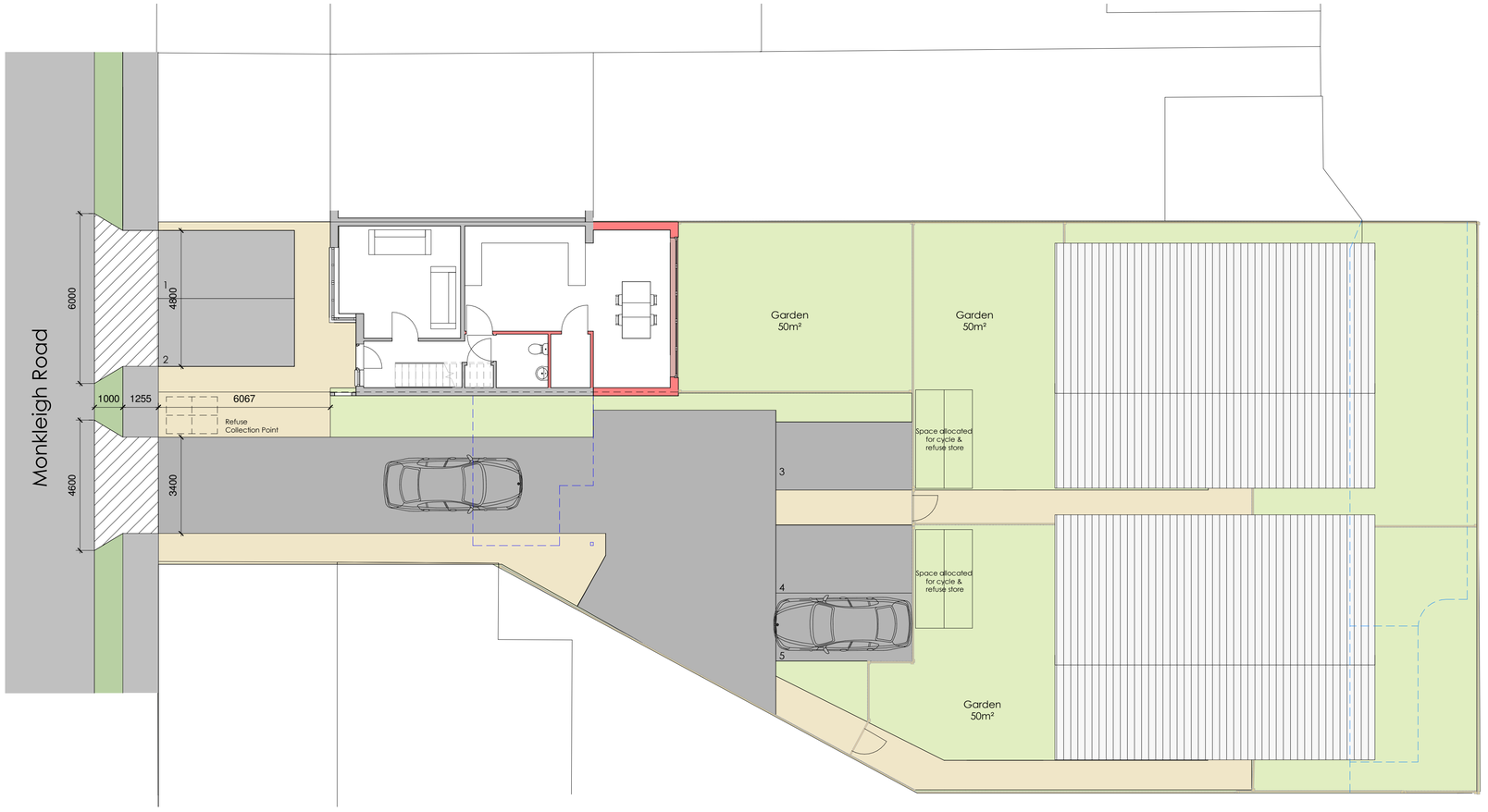
Location Plan

N



Site Plan

0m 5m 10m 15m
1:100

N

UNION ARCHITECTURE

info@union-arch.co.uk
www.union-arch.co.uk
north t: 0151 345 0405
south t: 01202 683 522

NOTES

Do not scale from drawing, figured dimensions to be used only

All dimensions to be verified on site. Any discrepancies are to be reported to the relevant parties.

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Revision	Notes	Issued by	Date
B	Vehicle crossover updated	DH	07.01.21
A	Reduced bungalow sizes suit case officer comments	DH	02.09.20

client: Mr C Ubah	drawn: JI / DH	scale: As indicated	size: A1
address: 63 Monkleigh Road, Morden, SM4 4EN	checked: IF	title: Location and Site Plan	
	date: 20/08/18		
proj no.: 18-153	status: PL	dwg no.: 01	revision: B

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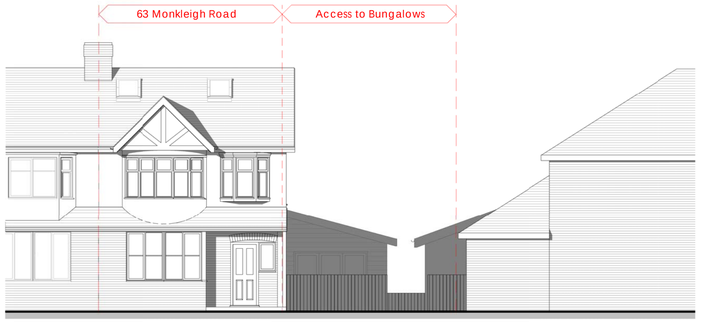
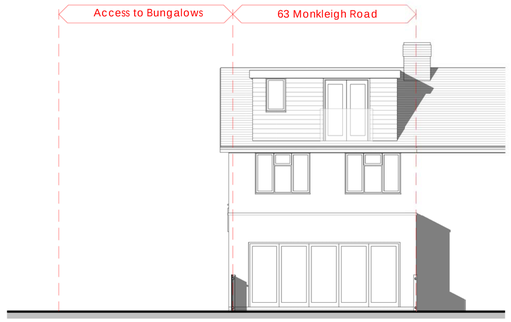
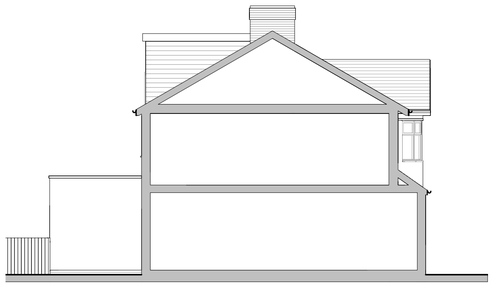


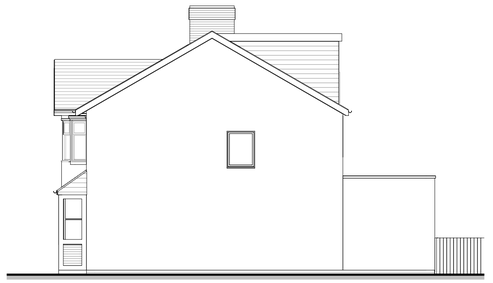
Proposed West Elevation - Front Monkleigh Road



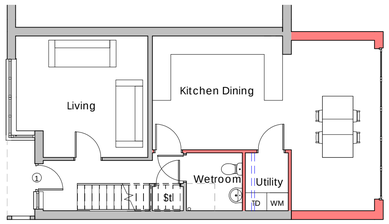
Proposed East Elevation - Monkleigh Road



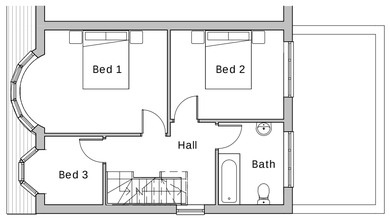
Proposed North Elevation - Monkleigh Road



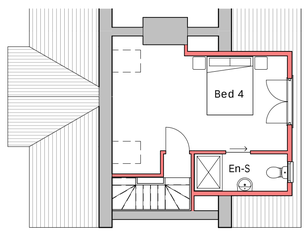
Proposed South Elevation - Monkleigh Road



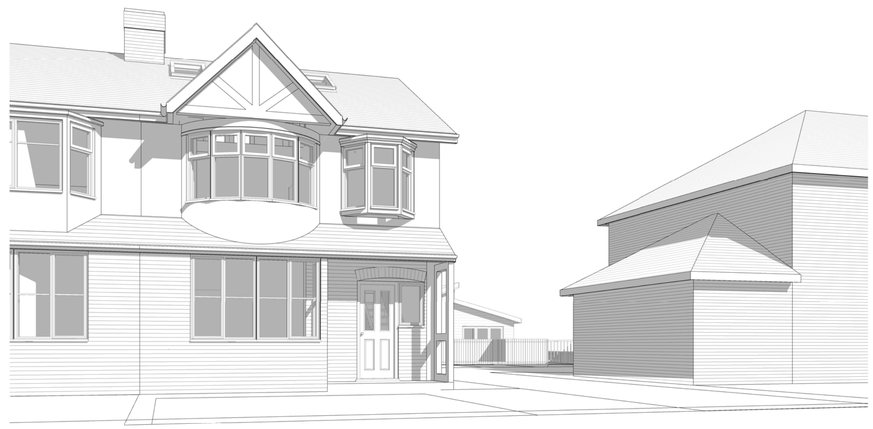
Proposed Ground Floor



Proposed First Floor Plan



Proposed Second Floor



3D View to Site Entrance

N

Demolished

0m 5m 10m 15m
1:100

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NOTES

Do not scale from drawing, figured dimensions to be used only

All dimensions to be verified on site. Any discrepancies are to be reported to the relevant parties.

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Revision	Notes	Issued by	Date

client: Mr C Ubah
address: 63 Monkleigh Road, Morden, SM4 4EN
proj no.: 18-153
drawn: JI/DH
checked: IF
date: 04/11/16
status: PL
scale: 1 : 100
size: A1
title: Extension to Number 63 Proposed Plans and Elevations
dwg no.: 02
revision:

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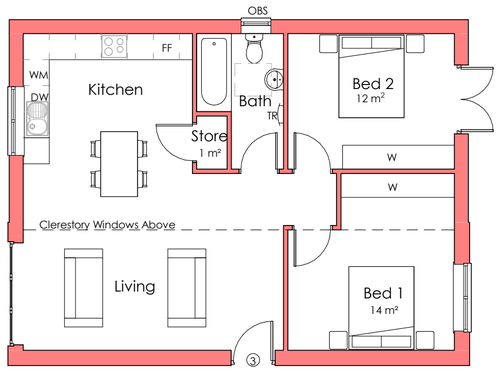


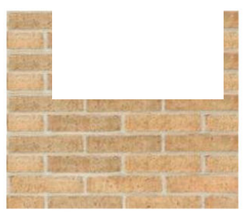
Proposed Ground Floor Plots 2 & 3

N

Unit Sizes for Plots 2&3 = 72.5 m²

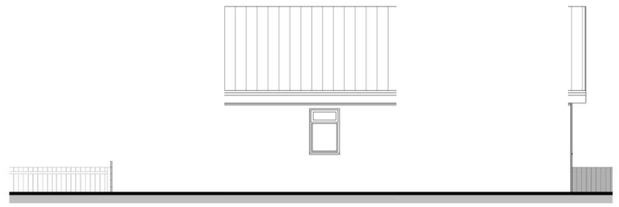
Standing Seam Roof

Hardieplank Grey Cladding Board



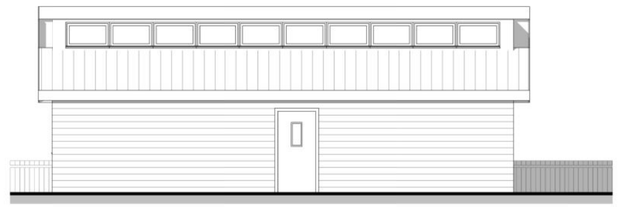
Slimline Buff Brick

Proposed East Elevation - Rear of Monkleigh Road

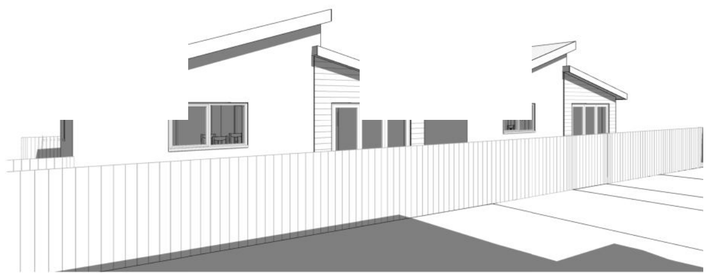


Proposed North Elevation - Rear of Monkleigh Road

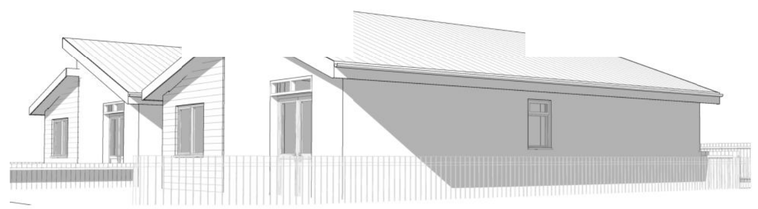
Proposed West Elevation - Facing Monkleigh Road



Proposed South Elevation - Rear of Monkleigh Road



3D View Plots 2 & 3 From Plot 1 Garden



3D View Plots 2 & 3 From Rear

0m 5m 10m 15m
1:100

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Revision	Revision Description	Drawn by	Revision Date
B	Reduced bungalow sizes suit case officer comments	DH	02.09.20
A	Room areas indicated	DH	26.06.20

client: Mr C Ubah	drawn: JI/DH	scale: 1 : 100	size: A2
address: 63 Monkleigh Road, Morden, SM4 4EN	checked: IF	title: Proposed Plans and Elevations Plots 2 & 3	
	date: 17/08/18		
proj no.: 18-153	status: PL	dwg no.: 03	revision: B

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PLANNING APPLICATIONS COMMITTEE **29th June 2021**

	APPLICATION NO.	**DATE VALID**
	20/P3898	21/12/2020
Address/Site:	52 Parkway Raynes Park SW20 9HF	
Ward:	West Barnes	
Proposal:	ERECTION OF RAISED TIMBER DECKING IN THE REAR GARDEN WITH PRIVACY SCREEN	
Drawing No.'s:	002; 005 Rev A; 006 Rev B; 006; 007; 008; 009; 010; 011; Proposed Rear Elevation; Site Location Plan;.	
Contact Officer:	Jourdan Alexander (020 8545 3112)	

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: 0
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Archaeological priority zone: No

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the nature of the objections received, and that the application seeks to retain an unauthorised development. Officers consider that its determination in the event of approval falls outside the Scheme of Delegation to officers

2. SITE AND SURROUNDINGS

2.1 The application site is a two storey semi-detached dwelling located on the south-west side of Parkway in Raynes Park. The building forms a pair with No. 50 Parkway.

2.2 The property has an existing rear extension that sits at raised ground floor level. There is a newly built timber deck at rear with stairs that links the garden with the rear extension's openings.

2.3 The site is not located in a Conservation area nor is it a listed building

3. CURRENT PROPOSAL

3.1 The proposal seeks retrospective permission for the raised timber decking constructed at rear of building, as well as new stairs that provide access onto the garden. The new timber decking has replaced an earlier timber deck of the same height, but is larger with a depth of approximately 2m, and stretches to the property's side boundary with No 50 Parkway. The deck is enclosed by a metal balustrade. Stairs have been formed to connect the deck with garden level, situated beside the boundary with No 50 Parkway. Timber screens are proposed to provide visual screening between the subject property and 50 Parkway.

4. PLANNING HISTORY

4.1 05/P0017 - EXTENSION TO SIDE ROOF SLOPE (TO COMPRISE HIP TO GABLE EXTENSION) AND REAR ROOF SLOPE. Grant Permission

4.2 05/P0939 - RETENTION OF REAR DORMER ROOF EXTENSION WITH BALCONY. Grant Permission

4.3 12/P0109 - ERECTION OF AN OUTBUILDING TO PROVIDE A GARAGE AND A MUSIC ROOM.

Refuse Permission
The proposed outbuilding, by reason of size, siting and design would be both visually prominent and unduly dominant, to the detriment of the visual amenities of neighbouring occupiers, and would be contrary to policy BE.15: New Buildings and Extensions: Daylight, Sunlight, Privacy, Visual Intrusion and Noise of the Council's adopted Unitary Development Plan (October 2003).

4.4 12/P1240 - DEMOLITION OF GARAGE AND THE ERECTION OF AN OUTBUILDING FOR USE AS A MUSIC AND UTILITY ROOM.
Refuse Permission
The proposed outbuilding, by reason of size, siting and design would be both visually prominent and unduly dominant, to the detriment of the visual amenities of and spoiling the enjoyment of the garden and patio area of No. 54 Parkway contrary to policy BE.15: New Buildings and Extensions: Daylight, Sunlight, Privacy, Visual Intrusion and Noise of the Council's adopted Unitary Development Plan (October 2003) and Policy CS14 of the Adopted Core strategy

4.5 12/P3361 - APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR AN EXISTING SINGLE STOREY REAR EXTENSION. Issue Certificate of Lawfulness

5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice along with letters sent to 4 neighbouring properties. One representation was received. The application has since been amended to change the screening arrangement along the boundary. The amended drawings have been re-consulted with neighbours and a further representation was received by the same objector to the first proposal. As summarised:

- We recognise that the elevated positions of the houses require a high decking however we strongly oppose to i) the positioning of the stairs and (ii) the fact that the decking comes right up against our property for the following reasons:
- Loss of privacy, as people using the stairs would have views into our rear habitable rooms. We believe the elevated patio/decking itself should not come right up to our property and there should be at least 2 metre distance between the end of the decking and our property.
- Security, the attachment of the patio and its stairs make for an easy access to our property and makes it vulnerable to thieves now that the decking and the stairs are right up against our property.
- Plumbing, The new plumbing that appeared as part of the decking and patio build includes a new open pipe running right along the side of our property and pointing towards our garden which allows for their dirty water going through a new drainage

to come inside our garden once running.

- Property value, we strongly feel that the installation a decking extending right out to our fence and including stairs right up against our fence will negatively affect the value of our property.
- Health and Safety, the development is not safe to use.
- With regards to the new amendment - we do not believe that the submitted drawing represents the true picture of current structure. The suggested panel will have to be built on the top of the fence which at present stands nearly 2 metres high. The staircase which goes above that height does not have a security banister or hand rail at one side and will therefore use the decorate panel to perform this function hence allowing for incidents. The panel presented as a prevention to overlooking will need to be over 3.5 metres tall. The submitted drawing does not demonstrate any of the above.

Planning Officer's comments to the objections:

5.2 Privacy impacts of the development are discussed within the report. The applicant would need to ensure that the building works complies with all other relevant legislation including the Building Act, in order to ensure its safe use. Property values are not material planning concern, whilst plumbing particulars also fall outside the scope of planning control. There is no evidence to suggest that the development would create a security issue for neighboring occupiers to an extent that planning permission could be reasonably refused. Officer's note that there is already a gate to the side of the subject building preventing access from the street to rear garden, which further adds to security.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)
11. Making effective use of land
12. Achieving well-designed places

6.2 London Plan (2021)
Relevant policies include:
D3 Optimising site capacity through the design-led approach
D4 Delivering good design

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)
Relevant policies include:
CS 14 Design

6.4 Merton Sites and Policies Plan – 2014 (SPP)
Relevant policies include:
DM D2 Design considerations in all developments
DM D3 Alterations and extensions to existing buildings

6.5 Supplementary planning considerations
London Housing SPG – 2016
Merton Design SPG – 2004

7. PLANNING CONSIDERATIONS

7.1 The planning considerations in this case relate to the whether the development would have an acceptable level of impact toward the host dwelling, surrounding character and neighbouring amenity.

Character and Appearance

7.2 London Plan Policies D3 and D4, Core Strategy Policy CS14 and SPP Policies DMD2 and DMD3 specify requirements for well-designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings

7.3 At the rear of properties along Parkway there are a variety of different proportioned and designed decking built at similar levels to that erected on the applicant's property. The replacement decking with steps, whilst larger in size than previously existing appears in keeping with the pattern of development at this location. It is not considered a size, in terms of depth or width that appears out of scale. The use of timber materials with metal balustrade also appears sympathetic at this part of the house, and officers consider this to acceptable.

7.4 The applicant proposes to erect timber panels along one side of the decking to provide visual screening between the occupants of the subject property and those at 50 Parkway. The size, location, design and materials of the screening would appear visually compatible at this part of the house, and it is considered would not be intrusive to occupants at No. 50.

7.6 Overall, in terms of appearance, the development is not be considered materially harmful or out of keeping with the property.

Impact upon neighbouring amenity

7.7 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.8 Officers have inspected the enlarged timber decking next to the boundary with No 50 Parkway. The applicant was given an opportunity to amend the application so as to mitigate any potential for an adverse impact to the neighbour. The proposed amendment includes privacy screens with a height of 2.05m above the deck and maintaining that height parallel with the steps to the garden with the existing 2m high fence retained thereafter at the foot of the steps.

7.9 Officers therefore consider that the screens, in addition to the existing fence, would be of a height and location so as to protect potential views from the new decking and stairs into neighbour's rear habitable rooms or towards the neighbour's own raised timber decking. With the screening erected, any impact to this neighbour with respect to privacy would be sufficiently mitigated so as not to be considered harmful. A condition has been recommended to secure the full and prompt installation of the privacy screening.

7.10 The adjacent neighbour no 54, would not be affected by the proposal given that there is a good degree of separation between the enlarged timber decking and this property's side boundary.

7.11 In terms of noise impact, occupants of the subject building could be able to generate similar levels of noise from the rear garden as configured without the decking to that now proposed. This is because the space directly to the rear of the house can be used for amenity purposes by the occupants, tables and chairs could also be sited close to the boundary fence. It is further noted that No. 50 Parkway already has raised timber decking that extends close to the boundary with the applicant neighbour. Therefore potential impacts would be largely mutual between properties.

8. CONCLUSION

8.1 The assessment of planning applications routinely requires an element of judgement to be made in the absence of a prescribed or formulaic approach to design. The proposed development is similar, but not necessarily identical to those built on neighbouring houses and this submission is therefore one in which officers and ultimately members are required to exercise a degree of judgement. Officers are of the view that the amenity deck and access steps, may reasonably be supported. Suitably amended to ensure the installation of screening, officers consider that the proposal would not cause any undue harm to neighbouring occupiers. It is therefore recommended to grant planning permission subject to conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions.

1. Standard condition [Approved plans]: The development hereby permitted is for the deck, steps and screening as described by the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

2. Within 1 month of the date of this planning permission the timber privacy screens shown on approved drawing no. 006 Rev B, shall be fully installed. Failing this, the raised timber decking hereby approved shall not be used for sitting out or any similar purposes and shall not be bought back into use until the privacy screens have been fully installed. The privacy screens shall be retained permanently thereafter in good repair for so long as the decking and steps to the garden remain.

   Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and DM D3 of Merton's Sites and Policies Plan 2014.

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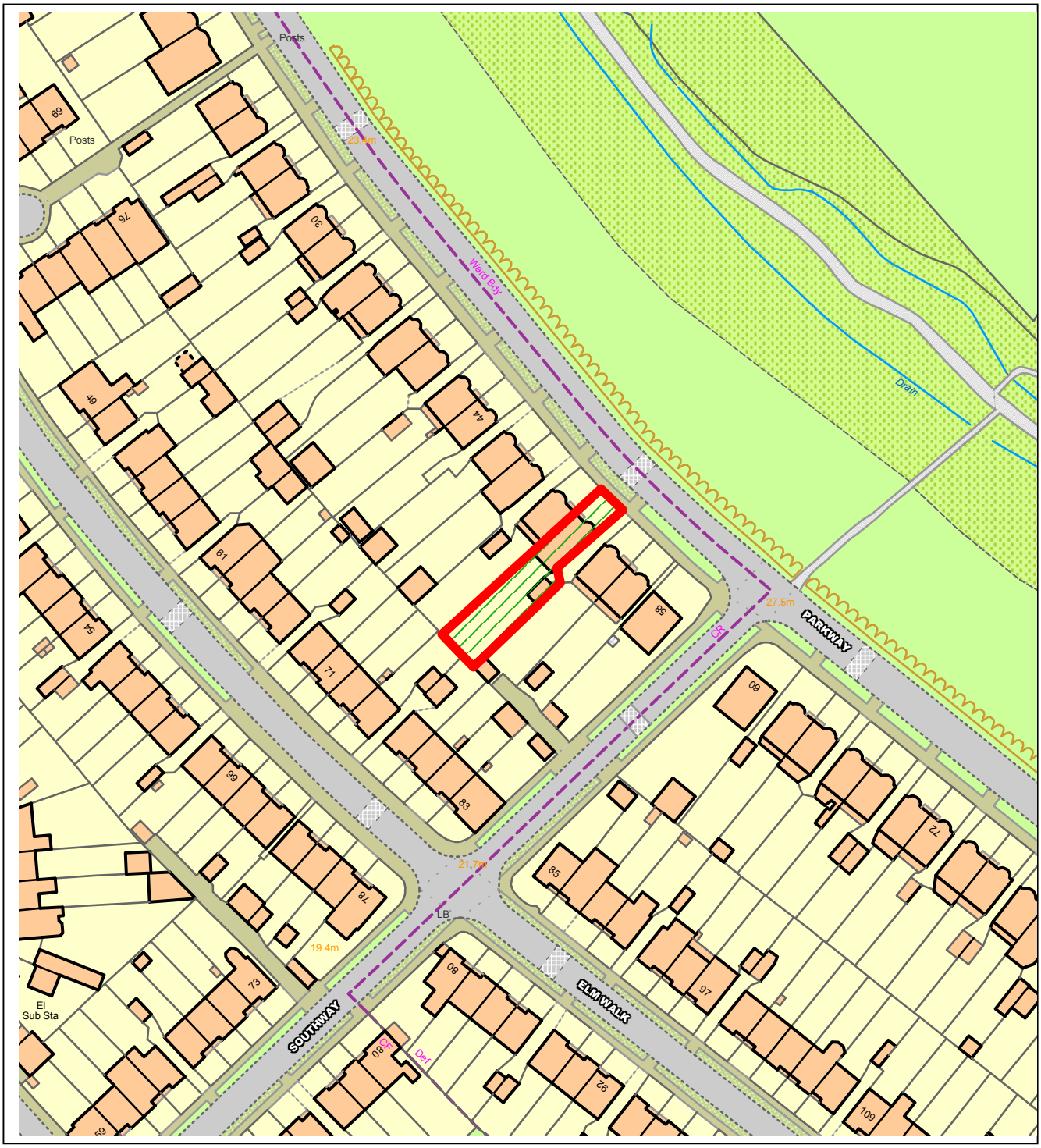
NORTHGATE SE GIS Print Template



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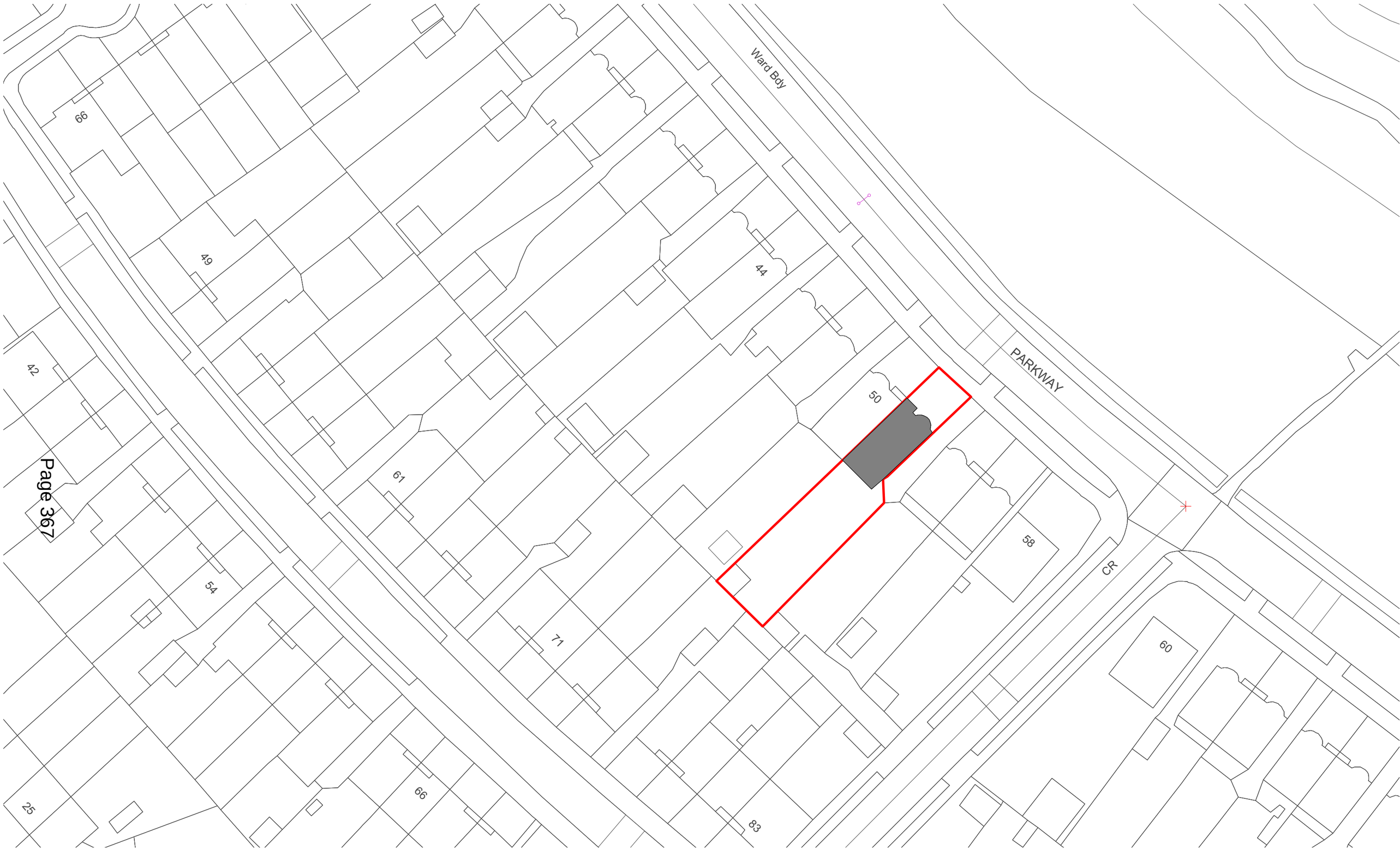

N

0 5 10 15 20 25 30m

Site Boundary

A			Drawing Title: 1:500 Block Plan			
B						
C						
D						
E			Client	Issue Date: 04.12.2020	Scale @ A3: 1:500	Scale @ A1: 1:250
F						
			Job Title and Address: 52 Parkway, Merton	Drawing No: 002	Rev:	Status: Planning
H						

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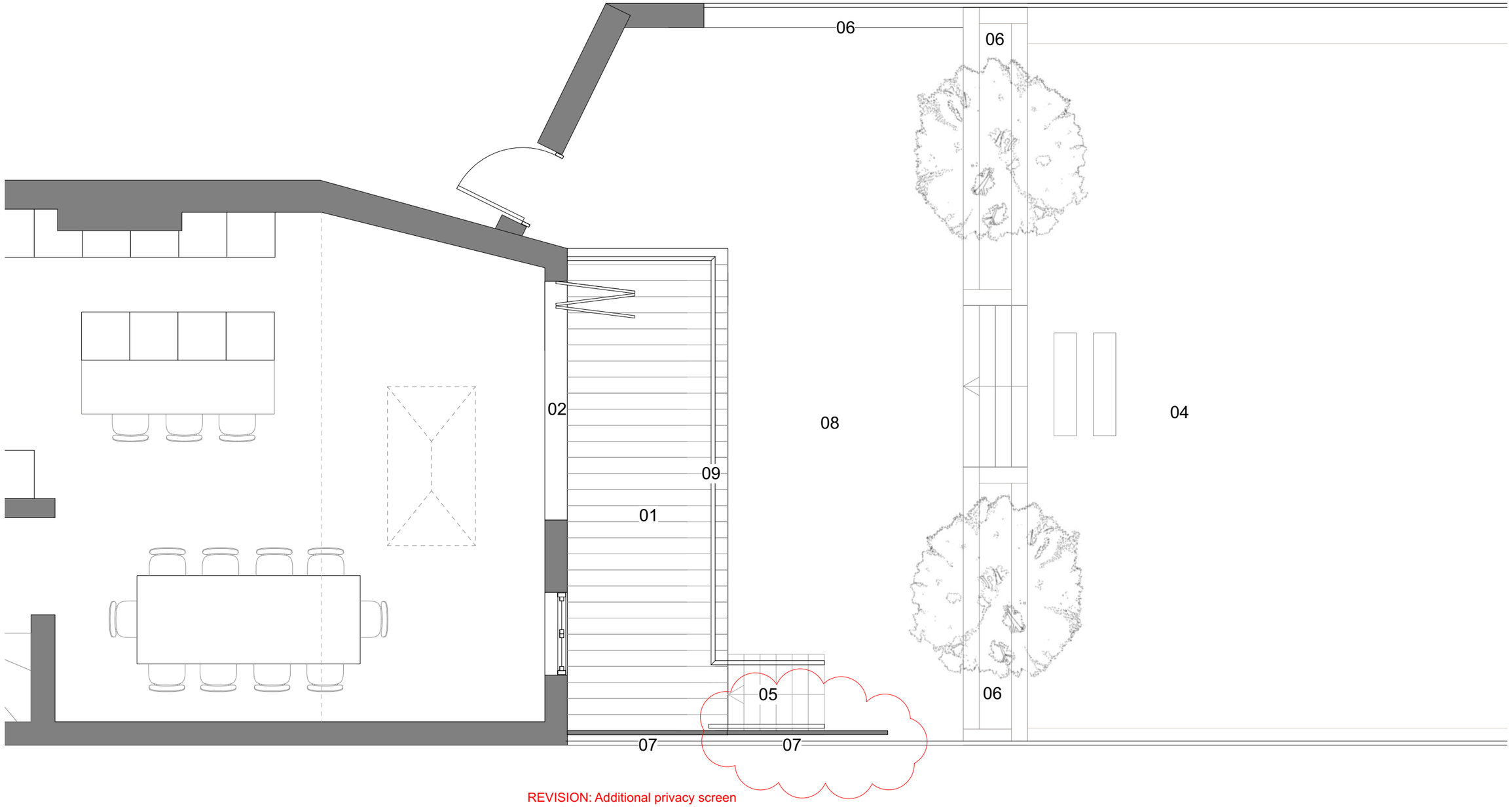

REVISION: Additional privacy screen added to address concerns of neighbouring privacy when using new stairs on the deck. This should address overlooking concerns and look visually appearing for the neighbouring property. This is at a height of 1790mm. See drawing number 006 for more detail.

N

01 02 05m

01 Decking
02 Bi-Fold doors
03 Concrete
04 Lawn
05 Timber stairs
06 Raised planter
07 Privacy screen

08 Indian Sandstone
09 Metal Balustrade

A		11/02/21	
B			
C			
D			
E			
F			
H			

Drawing Title: Proposed Ground Floor Plan

CH Architectural Design

Client

Issue Date: 11/02/21

Scale @ A3: 1:50

Scale @ A1: 1:25

Job Title and Address: 52 Parkway, Merton

Drawing No: 005

Rev: A

Status: Planning

General: 1. Do not scale drawings. Dimensions govern. 2. All dimensions are in millimeters unless noted otherwise. 3. All dimensions shall be verified on site before proceeding with the work. 4. CHA shall be notified in writing of any discrepancies.

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50 Parkway

52 Parkway

54 Parkway

1 2 5m

A			Drawing Title: Proposed Rear Elevation			
B						
C						
D						
E			Client	Issue Date: 21.12.2020	Scale @ A3: 1:100	Scale @ A1: nts
F						
			Job Title and Address: 52 Parkway, Merton	Drawing No: 010	Rev:	Status: Planning

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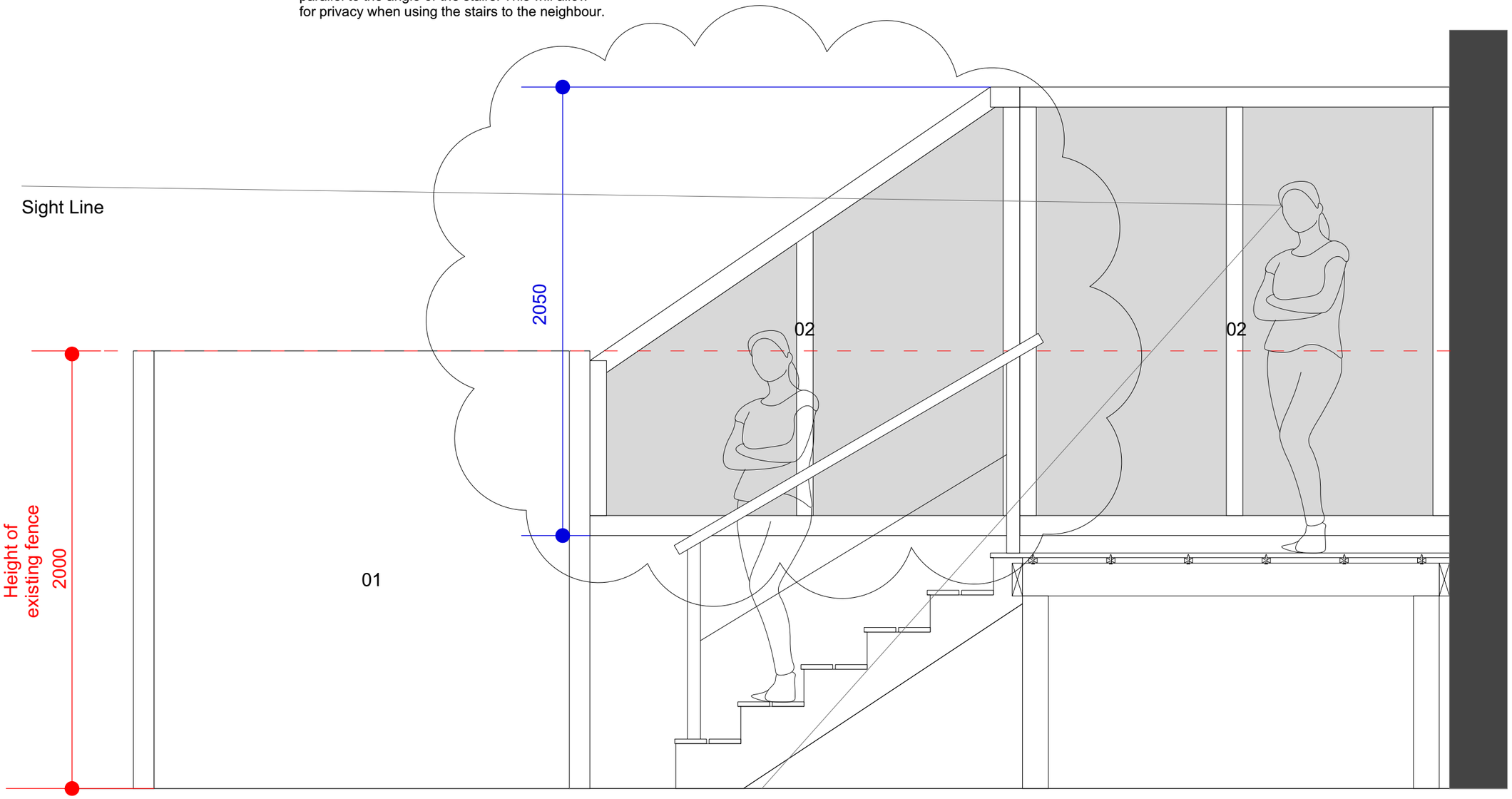
REVISION: Additional privacy screen added to address concerns of neighbouring privacy when using new stairs on the deck. This should address overlooking concerns and look visually appearing for the neighbouring property. This panel would be angled and run in parallel to the angle of the stairs. This will allow for privacy when using the stairs to the neighbour.



01 Existing Timber Fence
02 New Privacy Screen

A		11/02/21	Drawing Title: Privacy Screen Detail	CH Architectural Designer			
B		26/03/21					
C							
D							
E			Client: Dan and Lizzie Bloxham	Issue Date: 26/03/21	Scale @ A3: 1:20	Scale @ A1: 1:10	
F							
			Job Title and Address: 52 Parkway, Merton	Drawing No: 006	Rev: B	Status: Planning	
H							

General: 1. Do not scale drawings. Dimensions govern. 2. All dimensions are in millimeters unless noted otherwise. 3. All dimensions shall be verified on site before proceeding with the work. 4. CHA shall be notified in writing of any discrepanices.

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

Item No: ?

UPRN	**APPLICATION NO.**	**DATE VALID**
48059270	21/P0084	25/01/2021

Address/Site 42 Raymond Road, Wimbledon, London, SW19 4AP

(Ward) Hillside

Proposal: Demolition of existing dwellinghouse and erection of a new dwellinghouse incorporating construction of a basement and raising height of garden levels.

Drawing Nos Site Location Plan.
Proposed Plans, Sections and Elevations: 201210-02. Street Scene Existing and Proposed: S201210-02.
Garden Levels: G201210-02.
'Basement Construction Method Statement' by White and Lloyd Consulting Engineers.
'SuDS Report' by Nimbus Engineering Consultants Ltd
'Energy Statement' by Vision Energy.

Contact Officer: William Lewis

RECOMMENDATION

GRANT planning permission, subject to conditions

CHECKLIST INFORMATION

- Is a screening opinion required - No
- Is an Environmental Statement required - No
- Has an Environmental Impact Assessment been submitted - No
- Press notice - Yes
- Site notice - Yes
- Design Review Panel consulted - No

- Number of neighbours consulted - 25
- Internal consultations - Yes
- External consultations - Yes
- Conservation Area - Affects an adjoining Conservation Area
- Listed Building - No
- Archaeological Priority Zone (APZ) - 2
- Flood Zone - 1
- PTAL - 6a
- Controlled Parking Zone (CPZ) - W1

1. INTRODUCTION

1.1 The application has been brought before the Planning Application Committee for consideration in light of the number and nature of objections received towards the application and officer recommendation to grant permission subject to conditions.

2. SITE AND SURROUNDINGS

2.1 The application site comprises a two-storey detached dwellinghouse to the north-west side of Raymond Road in Wimbledon. There is a private garden space associated with the property to its rear.

2.2 The application site is bounded by 44 Raymond Road to the north-east, Raymond Road to the south-east, 40 Raymond Road to the south-west and 1 to 16 Florence Court to the north-west.

2.3 The surrounding area is largely made up of detached residential properties and is suburban in character.

2.4 The architecture of the existing dwellinghouse is distinctive in style, and could be described as characteristic of early 20th century Tudor Revival architecture ('Mock Tudor'). The existing building is finished in red brick and white render with timber detailing, a clay tile roof, uPVC windows and timber doors.

2.5 The site is not located within a conservation area, however it is situated adjacent to the West Wimbledon Conservation Area of which it shares its rear boundary.

2.6 There is a single vehicular access to the frontage of the site leading to a driveway which allows parking for approximately 2-3 cars. There is additional parking capacity provided by the front garage, giving a total of approximately 3-4 existing parking spaces.

3. CURRENT PROPOSAL

3.1 This application seeks permission for the proposed demolition of the existing 4-bed dwellinghouse and the erection of a larger 6-bed dwellinghouse with a basement, comprising 4 floors of habitable space including at roof and basement level.

3.2 The proposed dwellinghouse has been designed to broadly match the footprint and proportions of the existing building, albeit with the following key additions and alterations:

- The proposed front elevation would be erected in line with the outer wall of the existing façade and would incorporate bay windows at both sides of the front entrance.
- Part of the proposed rear elevation of the dwellinghouse would be extended 0.3m deeper at first and second floor level than the existing rear elevation.
- A 1.1m wide side single-storey side addition would be erected abutting the boundary with 44 Raymond Road.
- A single-storey rear addition would project approximately 5.0m from the proposed rear elevation.
- A basement level would be constructed partially within the footprint of the proposed dwellinghouse incorporating an associated light well to the rear of the property.

3.3 In addition, the proposed dwellinghouse would deviate from the design of the existing dwellinghouse in the following key areas:

- The upper roofline would be raised to 1.0m above existing.
- The propose dwellinghouse would maintain a crown roof incorporating half-hipped elements at each side elevation. The proposed roof form would also incorporate a double gable at the front elevation and a single gable to the rear elevation.

3.4 The proposed dwellinghouse would be finished in brick and white render with a grey slate tile roof and aluminium windows. The flat roof will be covered in a grey membrane.

3.5 The site would retain the existing vehicular access with accommodation for 2 car parking spaces.

3.6 Cycle storage and refuse storage facilities would be situated at the front of the property with direct access to Raymond Road.

3.7 The application also seeks permission to raise the heights of the existing garden levels by various increments; the maximum proposed increase in height would be approximately 0.8m. New boundary treatments (fencing) are proposed at north-east and south-west boundaries, shared respectively with 44 and 40 Raymond Road.

4. PLANNING HISTORY

4.1 The following application at 42 Raymond Road was refused planning permission in February 2020:

20/P0151: DEMOLITION OF EXISTING DWELLINGHOUSE AND ERECTION OF A REPLACEMENT TWO STOREY DETACHED DWELLINGHOUSE. Refuse permission - 17/02/2020

This application sought permission for the demolition of the existing 4-bed dwellinghouse and the erection of a larger 5-bed dwellinghouse with a basement, comprising four floors of habitable space including at roof and basement level. Application LBM Ref: 20/P0151 was refused on the following grounds:

The scale, form and design of the proposal is considered to have a detrimental impact on the character of the area and the wider streetscene and on the amenity of neighbouring properties. In addition, the proposal does not include a valid basement impact assessment. Therefore, the proposal fails to comply with principles of Merton Sites and Policies Plan (2014) Policy DM D2, CS 14 of the Merton Local Development Framework Core Strategy (2011) and policies 7.4 and 7.6 of the London Plan (2016).

4.2 The applicant has since undertaken pre-application advice to amend the previous proposals prior to the submission of the current application.

4.3 The following planning applications are also associated with the planning history of 42 Raymond Road:

04/P0679: ERECTION OF A 3 METRE HIGH CLOSEBOARDED TIMBER FENCE ALONG REAR BOUNDARY (ADJOINING FLORENCE COURT, SUNNYSIDE, INVOLVES REMOVAL OF EXISTING FENCE). Grant permission - 27/05/2004

91/P0971: ERECTION OF 2.4 METRE - 3.0 METRE HIGH BOUNDARY WALL WITH CLOSE BOARDED FENCING AT REAR AND WESTERN CORNER OF SITE. Grant permission (subject to conditions) - 16/01/1992

5. CONSULTATION

5.1 External

5.2 Public consultation was undertaken by way of letters sent to neighbouring properties, a site notice was displayed at the front of the property and a notice was displayed in the local newspaper.

5.3 A total of 5 letters of objection were received. Comments are broadly summarised below:

- The design of the proposed dwellinghouse would be detrimental to the character and appearance of the host property and the surrounding area.
- The proposed single-storey rear addition would set a negative precedent for future planning applications in the road.
- The development proposals would lead to a loss of privacy at neighbouring properties through increased overlooking and the proximity of the proposed dwellinghouse.
- There is potential for the flat roof of the proposed single-storey rear addition to be used as a roof terrace which would have a detrimental impact towards the privacy of neighbouring properties.
- The removal of the existing garage reduces the number of parking spaces from 3 to 2 whilst the proposed dwellinghouse increases the size of accommodation at the host property.
- The steps leading from bedroom 5 to the garden present a steepness pitch of over 45 degrees which is understood to contravene planning guidelines.
- The proposed dwellinghouse might be converted into separate flats or an HMO.
- The proposed dwellinghouse would abut the boundary shared with 44 Raymond Road; this would remove side access to the host property at the north-east boundary and would prevent occupiers from providing maintenance to the outer elevation abutting the boundary without the consent of No.44.
- Building work may require scaffolding within the curtilage of 40 and 44 Raymond Road which would require the consent of these properties.

5.4 2 letters were also received on behalf of individuals acting in the interests of swift conservation. Comments are broadly summarised below:

- *Concerns were expressed regarding the endangered status of the UK's swift population, and how modern building practises are contributing to the decline of the species.*

- *The development presents an opportunity to help local swifts through including artificial nests into the construction.*

5.5 **The Greater London Archaeological Advisory Service (GLAAS)** - No comments were received.

5.6 **Thames Water** - Raise no objection, recommending that the following informative should be attached to any subsequent permission:

- *Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take into account this minimum pressure in the design of the proposed development.*

Internal

5.7 **Merton Flood Risk Officer** - Raise no objection subject to the attachment of the following conditions to any subsequent permission:

- *Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to include a raingarden, rainwater harvesting, permeable paving and geocellular attenuation and will discharge at the agreed run-off rate of no more than 1l/s (and a volume of attenuation no less than 14.21m3), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.*
- *Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during (dewatering) and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.*

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

- Chapter 4 Decision-making
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change.

- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

6.2 London Plan (2021)

- D3 Optimising site capacity through a design lead approach
- D5 Inclusive design
- D6 Housing Quality and standards
- D10 Basement development
- D11 Safety & Security
- G7 Trees and woodlands
- SI 2 Minimising greenhouse gas emissions
- SI 13 Sustainable drainage
- T2 Healthy streets
- T5 Cycling
- T6.1 Residential Parking
- T7 Deliveries, servicing and construction
- HC1 Heritage conservation and growth

6.3 Merton Core Planning Strategy (2011)

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood risk management
- CS 17 Waste management
- CS 18 Active transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)

- DM D1 Urban design
- DM D2 Design considerations
- DM D4 Managing heritage assets
- DM F2 Sustainable urban drainage systems (SuDS) and wastewater and water infrastructure
- DM H2 Housing mix
- DM H4 Demolition and redevelopment of a single dwellinghouse
- DM EP2 Reducing and mitigating noise
- DM T1 Support for sustainable transport and active travel
- DM T2 Transport impacts of development

- DM T3 Car parking and servicing standards

7. PRINCIPLE OF DEVELOPMENT

7.1 The principle of development for this application is the proposal to demolish and re-develop an existing single family-sized dwellinghouse.

7.2 The application site would remain residential and would incorporate the re-provision of at least one family sized unit where resulting in the loss of an existing family sized unit, thereby complying with Merton Core Planning Strategy policy CS 14.

7.3 The existing dwellinghouse is thought to make a moderate but positive contribution to the streetscene due to its existing architectural character. However, there is no objection to the principle of development provided that any redevelopment on the site is of a suitably high design standard and is considered acceptable with respect to all other material planning considerations.

7.4 Officers therefore conclude that the principle of development is acceptable.

8. PLANNING CONSIDERATIONS

8.1 The key material planning considerations in the assessment of this planning application are as follows:

- Character and appearance.
- Impact towards neighbouring amenity.
- Standard of accommodation.
- Standard of basement accommodation.
- Basement construction.
- Flood risk and drainage.
- Sustainability.
- Biodiversity.
- Trees.
- Transport, parking and cycle storage.
- Refuse.

9. CHARACTER AND APPEARANCE

9.1 London Plan policy D3, Merton Core Planning Strategy policy CS 14 and Merton Sites and Policies Plan policy DM D2 all specify requirement for well-designed proposals that will use appropriate architectural forms, language, detailing and materials which complement and enhance the

character of the wider setting. In relation to developments with historic interest, London Plan policy HC1 and Merton Sites and Policies Plan policy DM D4 requires development affecting heritage assets and their settings to conserve and enhance their significance, by being sympathetic to their form, scale, materials and architectural detail.

9.2 Context

9.3 The architecture of the existing dwellinghouse is distinctive in style, and could be described as characteristic of early 20th century Tudor Revival architecture ('Mock Tudor'); this manifests in properties throughout the local area, particularly towards the end of the road where the property is situated. Therefore, officers are inclined to consider the proposal should be sympathetic to this local vernacular style, either through the use of appropriate architectural forms or material choices, to ensure that the property continues to respect, reinforce and enhance the local character.

9.4 Owing to the location and orientation of the application site with respect to Raymond Road, the existing property appears particularly prominent within the streetscene, fronting a junction on flat ground above the inclined road.

9.5 It is noted that there are examples of detached dwellinghouses along Raymond Road that have been subject to demolition and rebuild, replaced with larger buildings of contemporary design. As a result, the principle of this development is not considered contrary to existing patterns of development within the immediate streetscene.

9.6 Scale and Design

9.7 The front elevation of the proposed dwellinghouse broadly respects the existing building line and does not encroach any further towards Raymond Road. The proposed side addition would not exceed a single storey, ensuring that there is visible separation between the host property and its neighbours to maintain the detached character of the area. The development proposals are thus considered to relate positively and appropriately to existing street patterns and the urban layout of the surrounding area.

9.8 Officers note that the proposed dwellinghouse would incorporate bay windows flanking both sides of the front entrance which are considered to be sympathetic in terms of scale and design to the architectural character of the surrounding area.

9.9 The proposed dwellinghouse has been designed to broadly match the footprint and proportions of the existing building, albeit with the following key additions and alterations:

- The proposed front elevation would be erected in line with the outer wall of the existing façade and would incorporate bay windows at both sides of the front entrance.
- Part of the proposed rear elevation of the dwellinghouse would be extended 0.3m deeper at first and second floor level than the existing rear elevation.
- A 1.1m wide side single-storey side addition would be erected abutting the boundary with 44 Raymond Road.
- A single-storey rear addition would project approximately 5.0m from the proposed rear elevation.
- A basement level would be constructed partially within the footprint of the proposed dwellinghouse incorporating an associated light well to the rear of the property.

9.10 As such, it is concluded that the scale and massing of the proposed dwellinghouse would not significantly exceed that of the existing building and is thus considered acceptable.

9.11 Officers do not consider that raising the upper ridgeline to 1.0m above that of the existing building would be detrimental to the character and appearance of the streetscene, subject to the proposed roof being appropriate in terms of scale, form and massing.

9.12 The proposed dwellinghouse would maintain a crown roof incorporating half-hipped elements at each side elevation and gabled elements to the front and rear elevations. The height of the eaves at the front elevation resembles that of the existing dwellinghouse; officers considered that this is sympathetic to the proportions of the existing building and has allowed some reduction in bulk at roof level as the side slopes of the half-hipped roof are able to maintain a greater overall length (reducing vertical massing). As such, raising the roofline by 1.0m in combination with the half-hip at each side elevation is considered acceptable in terms of appearance, and can be accommodated given the variety in scale and design of dwellings on Raymond road.

9.13 The double gable to the proposed front elevation is set an appropriate distance below the roof ridge and would be to be sympathetic to the form and proportions of the main roof. The use of a pitched roof at the rear of the property in combination with the smaller gabled roof minimises excessive massing and bulk. The use of a single ridge roof design to the rear gable end section is considered acceptable. The rear dormer is appropriate in

scale, set an appropriate distance from the roof ridge and sited wholly at the rear so as to avoid impact on the street scene.

9.14 Officers conclude that the form, bulk and massing of the proposed roof is acceptable and relates positively to the character of the surrounding area.

9.15 The detailing and material finishes of the proposed dwellinghouse are considered to be sympathetic to the character and appearance of the surrounding area.

9.16 Wimbledon West Conservation Area

9.17 Owing to their scale and design, it is not considered that the development proposals would significantly impact the setting of the Wimbledon West Conservation Area.

9.18 Overall, officers conclude that the proposed scheme is acceptable in terms of scale and design and would comply with Merton Core Planning Strategy policy CS 14 and Merton Sites and Policies Plan policies DM D2 and DM D4.

10. NEIGHBOURING AMENITY

10.1 Merton Sites and Policies Plan policy DM D2 requires that development proposals should ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to both proposed and adjoining buildings and gardens of neighbouring properties.

10.2 Daylight

10.3 The application is supported by an external daylight and sunlight assessment which utilised detailed computer modelling to test if the development proposal complies with relevant guidelines for limiting the loss of daylight and sunlight at neighbouring properties.

10.4 Officers note that the report made the following conclusions:

"Despite the proposed development at number 42 increasing the massing of the site, the impact on the daylight and sunlight received by the neighbouring properties is fairly minimal. There is very little impact on the front and rear elevations. The side elevations already have limited access to daylight and sunlight by the nature of the relatively small gaps between the detached properties. The calculations show the proposed development is in line with Building Research Establishment (BRE) guidelines as referenced by Merton Council's planning policy."

10.5 Owing to the scale and design of the proposed dwellinghouse and taking into account the conclusions of the external daylight and sunlight assessment, officers are satisfied that the development proposal would not result in an unacceptable level of daylight/sunlight loss and overshadowing towards any neighbouring property.

10.6 Outlook

10.7 The principle rear elevation of the proposed dwellinghouse would maintain a similar building line to the existing dwellinghouse, albeit where part of it would be extended 0.3m deeper at first and second floor level than at present. Officers acknowledge that the two storey rear wing would be sited closer to the shared boundary with number 40, however, owing to the limited depth in comparison to the existing, officers do not consider this would cause an overbearing impact. With the notable exceptions of the impact arising from the single-storey rear and side additions, officers conclude that the primary bulk of the proposed dwellinghouse would have limited material impact towards the outlook of neighbouring properties given that the proposed roof form mitigates excessive bulk towards the site boundaries.

10.8 The proposed single-storey rear addition would project approximately 5.0m from the rear elevation of the proposed dwellinghouse and would be visible from the rear of neighbouring properties owing to the fact that it would project beyond their rear elevations and would be visible from their gardens. However, since the proposed single-storey rear addition would only maintain a maximum height of approximately 3.1m and would set back from each site boundary by a minimum distance of 2.5m, it is not considered to be excessively visually intrusive or overbearing towards the outlook of neighbouring properties.

10.9 The proposed single-storey side addition would abut the shared boundary with 44 Raymond Road and would result in some enclosure towards the side of this neighbouring property; however, given it would not exceed a single storey and due to the relationship between the forms of the existing dwellinghouse and No.44, it is not considered that the resultant impact would be materially harmful.

10.10 The application seeks permission to raise the heights of the existing garden levels by various increments; the maximum proposed increase in height would be approximately 0.8m. New boundary treatments (fencing) are proposed at north-east and south-west boundaries, shared respectively with 44 and 40 Raymond Road. It is not considered that this would have a materially harmful impact on the outlook of neighbouring properties.

10.11 Privacy

10.12 It is noted that some residents have objected to the double height window of the first floor bedroom at the rear of the property, asserting that it will lead to a loss of privacy at neighbouring properties through overlooking. However, officers do not consider that the height of the window would materially increase the extent of overlooking given that this would be relative to the eye level of occupiers standing within the first floor bedroom. Furthermore, overlooking from the double height window would be concentrated towards the rear gardens of neighbouring properties, which are already overlooked by the first floor window of the existing dwellinghouse. Officers also note that the existing property could increase the amount of glazing on the rear elevation at first floor level under permitted development without planning permission. Given the current relationship between the existing dwellinghouse and neighbouring properties, it is not considered that the fenestration of the rear elevation of the proposed dwellinghouse would increase overlooking opportunities so as to constitute material harm.

10.13 It is not considered that raising the heights of the existing garden levels would increase overlooking opportunities towards neighbouring properties so as to be materially harmful.

10.14 Objections were received with regards to potential overlooking arising from windows at the side elevations. To address this issue, conditions will be attached to any subsequent permission to ensure that first floor side facing windows are fitted with obscured glazing to ensure that the privacy of neighbouring properties is protected.

10.15 Some residents were noted to express concern that the flat roof of the single-storey rear addition could be used as a roof terrace which could result in additional overlooking towards neighbouring properties. To address this issue, a condition will be attached to any subsequent permission to ensure that access to the flat roof shall be for maintenance or emergency purposes only.

10.16 Overall, subject to the attachment of conditions on any subsequent permission, the potential effect of the development on the amenities of neighbouring properties is not considered to be materially harmful and complies with Merton Sites and Policies Plan policy DM D2.

11. STANDARD OF ACCOMMODATION

11.1 The detailed design of the proposed development should have regard to the requirements of the new London Plan in terms of unit and room sizes and provision of external amenity space.

11.2 Internal

11.3 Policy D6 of the London Plan states that new dwellings must provide at least the gross internal floor area and built-in storage area as set out in Table 3.1; the development proposals satisfy the requirements of this adopted policy.

11.4 Officers assess that the proposed accommodation would be provided with an acceptable amount of daylight and would benefit from an appropriate quality of outlook.

11.5 External

11.6 In accordance with Merton Sites and Policies Plan policy DM D2, the council will seek a minimum garden area of 50sqm as a single usable regular shaped amenity space for all new dwellinghouses.

11.7 The developments proposals would retain the majority of the existing garden space which is considered to provide ample external amenity space in relation to the size of the proposed dwellinghouse.

12. STANDARD OF BASEMENT ACCOMODATION

12.1 Merton Sites and Policies Plan requires that proposals for basement accommodation must comply with the criterion b) and c) of policy DM D2.

12.2 The proposed basement would be wholly confined within the curtilage of the application property.

12.3 The footprint of the basement would not exceed 50% of either the front, rear or side garden of the property and result in the unaffected garden being a usable single area.

12.4 Any externally visible elements of the basement are sensitively designed and sited to avoid any harmful visual impact on neighbouring amenity.

12.5 The application is supported by an internal daylight and sunlight assessment which confirms that the bedrooms in the proposed basement would receive an acceptable amount of daylight.

12.6 Overall, the proposed basement accommodation is considered to be of an acceptable scale and design and complies with Merton Sites and Policies Plan policy DM D2.

13. BASEMENT IMPACT ASSESSMENT

13.1 Merton Sites and Policies Plan policy DM D2 requires that basement developments should be designed to maintain and safeguard the structural stability of the application building and nearby buildings.

13.2 The development would not involve excavation under a listed building (including any garden of a listed building) or any nearby excavation that is expected to affect the integrity of a listed building.

13.4 The application site is located within Archaeological Priority Zone 2. The Greater London Archaeological Advisory Service (GLAAS) were consulted to assess the impacts of the proposed basement on designated heritage assets. No comments were received.

13.5 Notwithstanding the details contained within the supporting 'Basement Construction Method Statement' by White and Lloyd Consulting Engineers, officers note that the construction phase of the development will be subject to approval under the Building Regulations.

14. FLOOD RISK AND DRAINAGE

14.1 Merton Sites and Policies Plan policy DM F2 makes requirement for all developments to reduce water consumption, the pressures on the sewer network and the risk of flooding. Merton will require an assessment of basement and subterranean scheme impacts on drainage, flooding from all sources, groundwater conditions and structural stability in accordance with Merton Sites and Policies Plan policy DM D2. The development must ensure that it does not cause harm to the built and natural environment and local amenity, and does not result in flooding or ground instability.

14.2 The Council's Flood Risk Officer was consulted and raised no objection subject to the attachment of specific conditions to any subsequent permission; the proposals are thus considered acceptable on flood risk and drainage grounds in accordance with adopted policy.

15. SUSTAINABILITY

15.1 Merton Sites and Policies Plan policy DM H4 states that proposals involving the demolition of an existing, structurally-sound dwellinghouse to create a new dwellinghouse in its place will be required to demonstrate that they

have exceeded the minimum sustainability requirements outlined in Merton Core Planning Strategy policy CS 15.

15.2 However, since the withdrawal of the Code for Sustainable Homes, all new developments comprising the creation of new dwellings should demonstrate how the development will instead:

- Comply with Merton Core Planning Strategy (2011) policy CS 15 'Climate Change' (relevant parts only a-d) and the policies outlined in Chapter 9 of the London Plan (2021).
- Outline how the development will achieve a 19% improvement on Buildings Regulations (2013) Part L and submit SAP output documentation to demonstrate this improvement.
- Achieve internal water usage rates not in excess of 105 litres per person per day.

15.3 The application is supported by an energy statement which outlines that Solar PV and Air Source Heat Pump have been identified as the most viable option to achieve the sustainability requirements of adopted policy. The development has been deemed viable for alternative measures, but the Solar PV and ASHP achieve the greatest carbon reductions.

15.4 Compliance with the above policy will be conditioned as part of any resultant planning permission.

16. BIODIVERSITY

16.1 There is no indication that the existing site has a significant biodiversity value and as such it is not necessary to submit an ecology report.

17. TRANSPORT, PARKING AND CYCLE STORAGE

17.1 Merton Core Strategy policy CS 20 and Merton Sites and Policies Plan policies DM T2 and DM T3 require that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management.

17.2 The site is located in an area with a PTAL rating of 6a which indicates a good level of connectivity and access to public transport.

17.3 Policy T5 of the London Plan aims to secure the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2 and Figure 10.3.

17.4 The proposed plans indicate that cycle parking spaces will be located to the front of the property.

17.5 Further information can be conditioned as part of any subsequent permission to ensure that the development satisfies the requirements of adopted policy.

17.6 The site has a PTAL of 6a. The London Plan expresses residential car parking standards as a maximum; policies GG2 and T6 of the new London Plan set out that in locations of high public transport accessibility (PTAL of 5-6) car-free developments should be promoted.

17.7 The site would retain the existing vehicular access and proposes accommodation for 2 car parking spaces in accordance with adopted policy.

18. REFUSE

18.1 The London Plan and Merton Core Strategy policy CS 17 requires new developments to show capacity to provide waste and recycling storage facilities.

18.2 The applicant has indicated that refuse storage facilities would be situated at the front of the property in accordance with adopted policy; this is considered an appropriate location and would be convenient for access and within reasonable distance from the highway to present for collection.

18.3 Further information can be conditioned as part of any subsequent permission to ensure that the development satisfies the requirements of adopted policy.

19. CONCLUSION

19.1 Whilst some may consider the loss of the existing dwellinghouse to be regrettable, it is considered that limited weight can be given to the preservation of the existing building given the application site is not located within a conservation area and the replacement dwellinghouse is considered to accord with adopted policy. The appearance, scale, bulk, form, proportions and materials of the proposed dwellinghouse are assessed to be sympathetic to the character and appearance of the surrounding area and the proposals would deliver an appropriate standard of accommodation in accordance with adopted policy.

19.2 Subject to the attachment of conditions to any subsequent permission, the proposed dwellinghouse is not considered to be materially harmful to the amenity of neighbouring properties.

19.3 Further conditions will also be attached to any subsequent permission to ensure that all other material planning considerations associated with the development are appropriately managed.

19.4 Overall, it is concluded that there are not reasonable grounds to withhold permission; it is thus recommended that planning permission is granted, subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION SUBJECT TO CONDITIONS.

Conditions

1. A1 Commencement of development (full application)

   The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

2. A7 Approved Plans

   The development hereby permitted shall be carried out in accordance with the following approved plans:

   - Site Location Plan.
   - Proposed Plans, Sections and Elevations: 201210-02.
   - Street Scene Existing and Proposed: S201210-02.
   - Garden Levels: G201210-02.
   - 'Basement Construction Method Statement' by White and Lloyd Consulting Engineers.
   - 'SuDS Report' by Nimbus Engineering Consultants Ltd.
   - 'Energy Statement' by Vision Energy.

3. B1 External Materials to be Approved

   No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and

the development shall be carried out in full accordance with the approved details.

4. C01 No Permitted Development (Extensions)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

5. C02 No Permitted Development (Windows and Doors)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed in the side elevations without planning permission first being obtained from the Local Planning Authority.

6. C03 Obscured Glazing (Fixed Windows)

Before the development hereby permitted is first occupied, the windows in the side elevations shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.

7. C06 Refuse & Recycling (Details to be Submitted)

No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

8. C08 No Use of Flat Roof

Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

9. D11 Construction Times

No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

10. H06 Cycle Parking - Details to be Submitted

No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

11. H09 Construction Vehicles

The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

12. L3 Sustainability Standard Pre-Occupation

No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.

13. A Non Standard Condition

Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to include a raingarden, rainwater harvesting, permeable paving and geocellular attenuation and will discharge at the agreed run-off rate of no more than 1l/s (and a volume of attenuation no less than

14.21m3), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

14. A Non Standard Condition

Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during (dewatering) and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.

15. A Non Standard Condition

The development shall be carried out in accordance with the 'Basement Construction Method Statement' by White and Lloyd Consulting Engineers dated December 2020.

16. A Non Standard Condition

A ‘Demolition and Construction Method Statement’ shall be submitted to, and approved in writing by, the local planning authority. The approved statement shall be adhered to throughout the demolition and construction period.

17. F01 Landscaping/Planting Scheme

No development shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

18. A Non Standard Condition

The development hereby permitted shall incorporate swift bricks into the design.

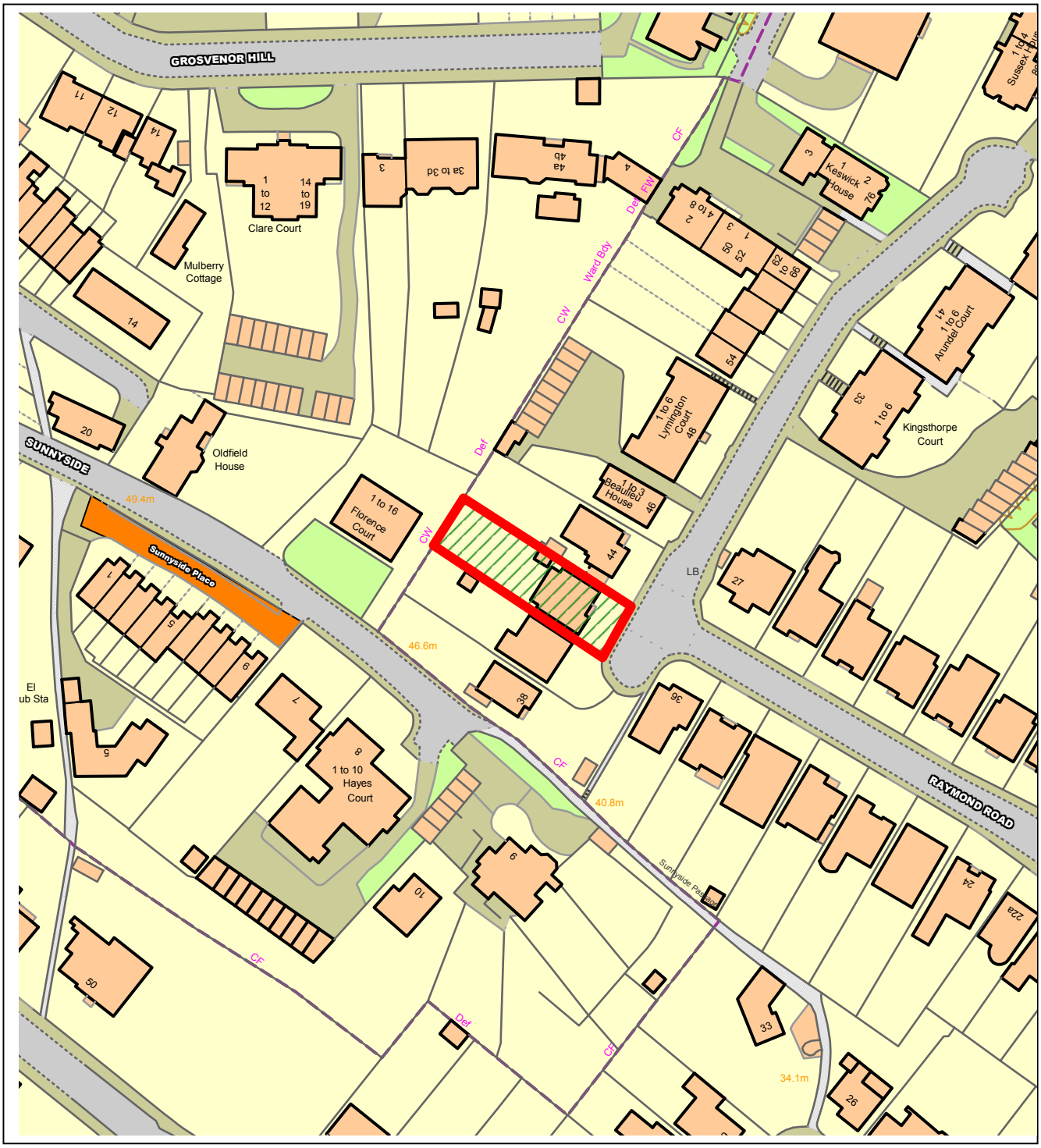
Informatives

1 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

2. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take into account this minimum pressure in the design of the proposed development.

3. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

NORTHGATE SE GIS Print Template



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SITE LOCATION PLAN

SCALE 1:1250 @A4
42 RAYMOND ROAD
WIMBLEDON SW19 4AP

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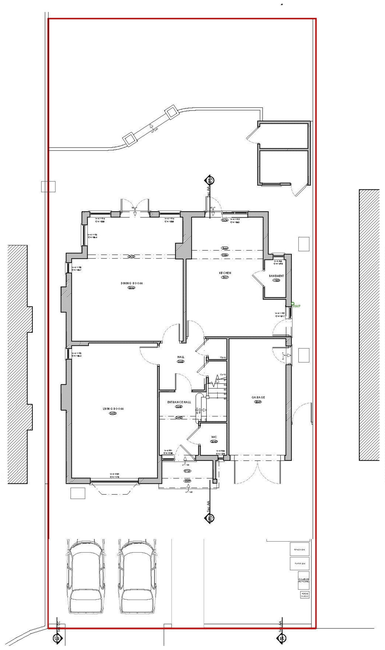
SITE MAP
@SCALE 1:500

SITE MAP
@SCALE 1:1250



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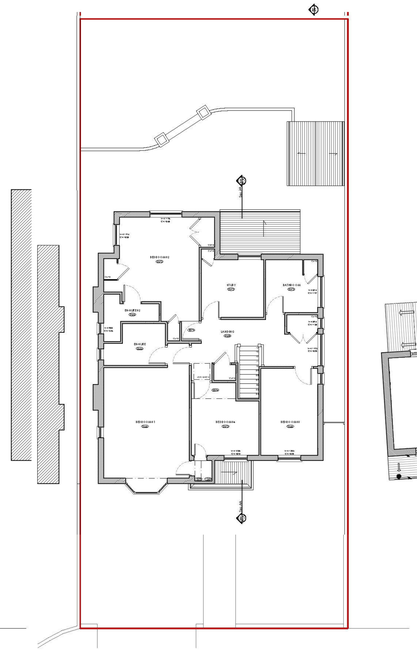

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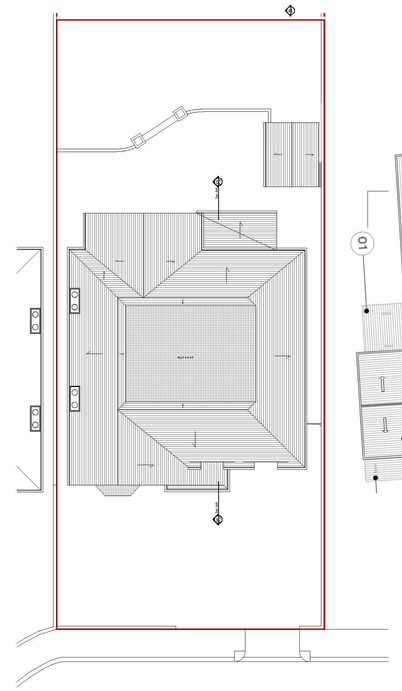

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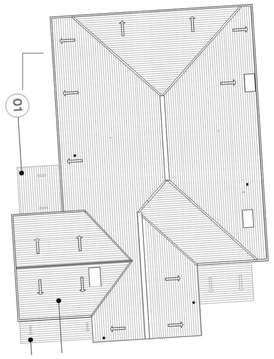

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SOUTH-EAST ELEVATION
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NORTH-WEST ELEVATION
@SCALE 1:100

REAR ELEVATION
@SCALE 1:100

1:100 Scale
0 1 2 3 4 5m 6 7 8 9 10m

PROJECT TITLE: 42 RAYMOND ROAD, LONDON, SW19 4AP	**DATE:** 12.12.19	**REV**	**BY**	**DATE**	**DESCRIPTION**
	REVISION:	-	XX	00.00.00	DESCRIPTION
DRAWING TITLE: PROPOSED PLANS, SECTIONS & ELEVATIONS	**SCALE:** 1:100, 1:500 & 1:1250 (@A0 LANDSCAPE)				
DRAWING NO: E2020-02					

LEGEND:

WH = Head Height
CH = Cill Hill
CH = Ceiling Height

1:50 Scale
0 0.5 1 1.5 2 2.5m

1:100 Scale
0 1 2 3 4 5m

1:500 Scale
0 5 10 15 20 25m

1:1250 Scale
0 10 20 30 40 50m

RELEVANT SCALE BARS

NOTES:

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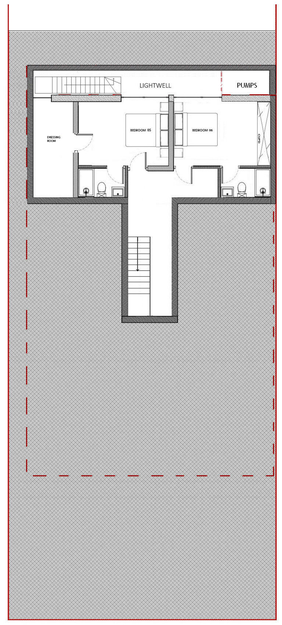

BASEMENT FLOOR PLAN
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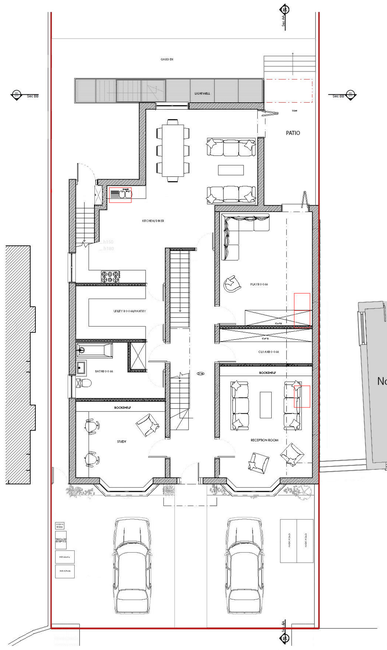

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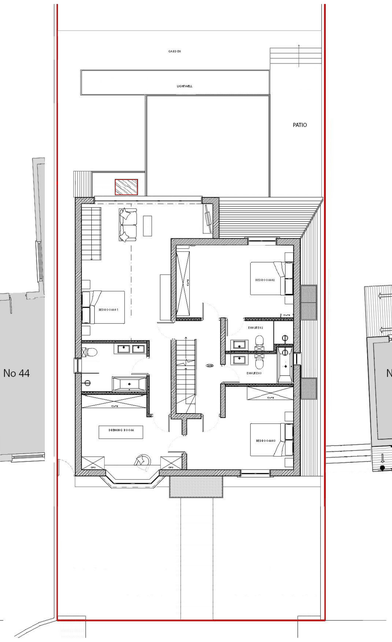

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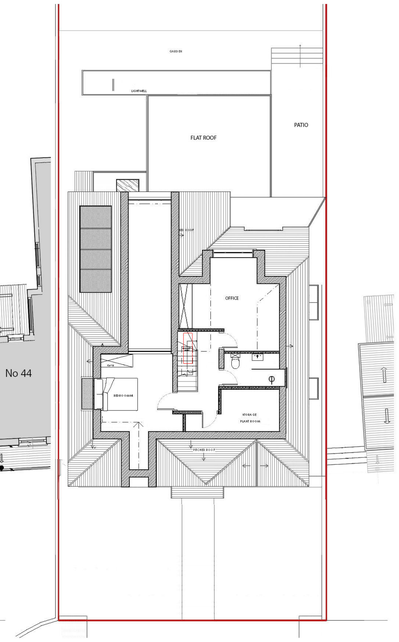

SECOND FLOOR PLAN
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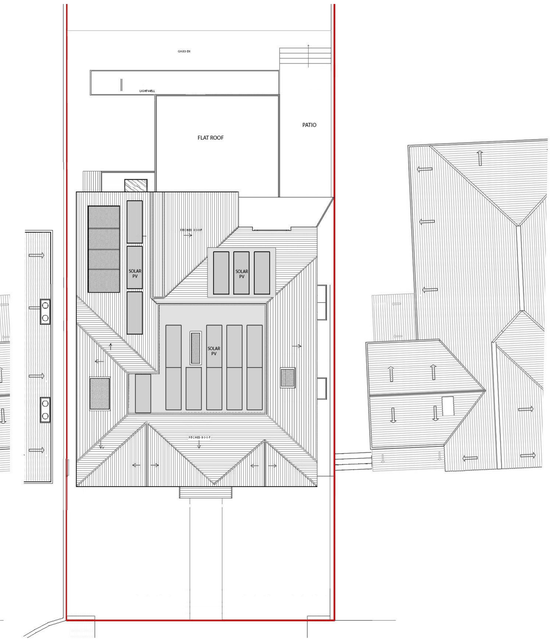

ROOF PLAN
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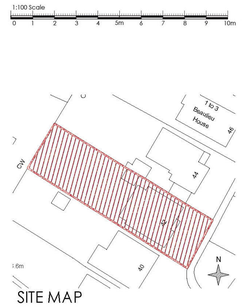

SITE MAP
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SITE MAP
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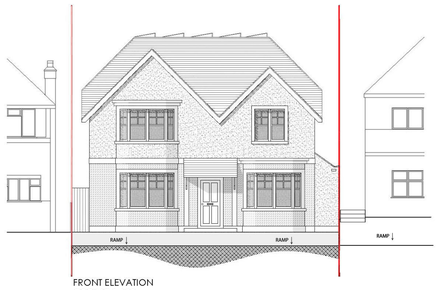

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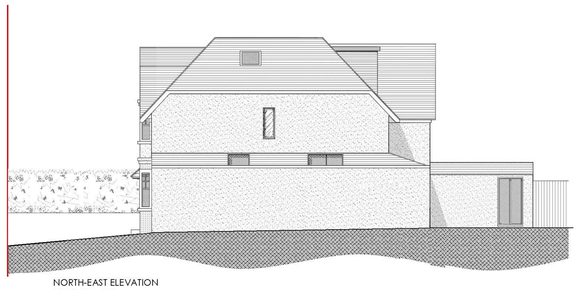

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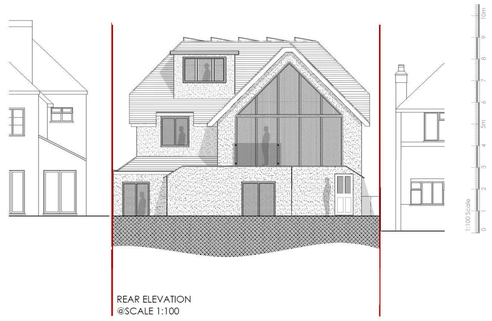

REAR ELEVATION
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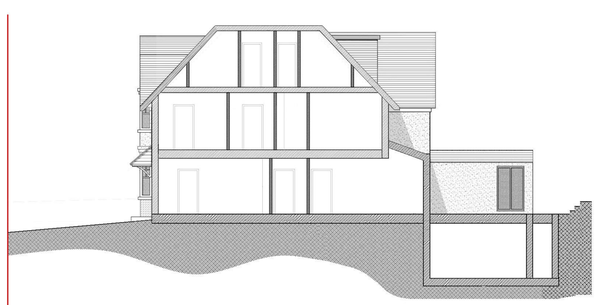

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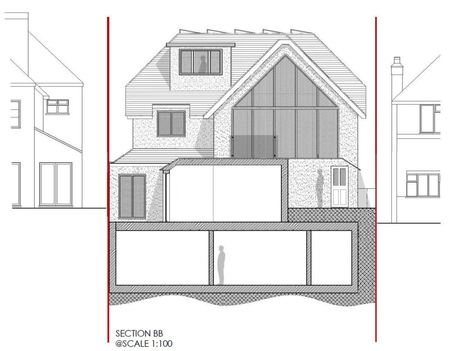

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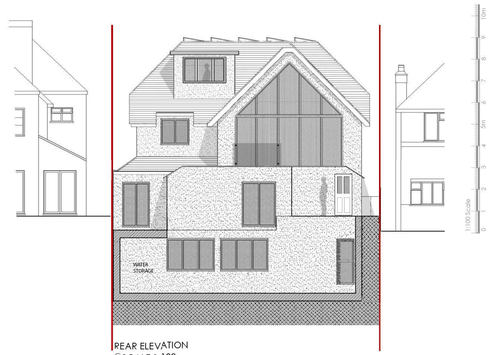

REAR ELEVATION
@SCALE 1:100

1:100 Scale
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PROJECT TITLE: 42 RAYMOND ROAD, LONDON, SW19 4AP	**DATE:** 10.12.20	**REV**	**BY**	**DATE**
	REVISION:	-	XX	00.00.00
DRAWING TITLE: PROPOSED PLANS, SECTIONS & ELEVATIONS	**SCALE:** 1:100, 1:500 & 1:1250 (@A0 LANDSCAPE)			
DRAWING NO: 201210-02				

DESCRIPTION

DESCRIPTION

LEGEND:

WH = Head Height
CH = Cill Hill
= Ceiling Height

1:50 Scale
0 0.5 1 1.5 2 2.5m

1:100 Scale
0 1 2 3 4 5m

1:500 Scale
0 5 10 15 20 25m

1:1250 Scale
0 10 20 30 40 50m

RELEVANT SCALE BARS

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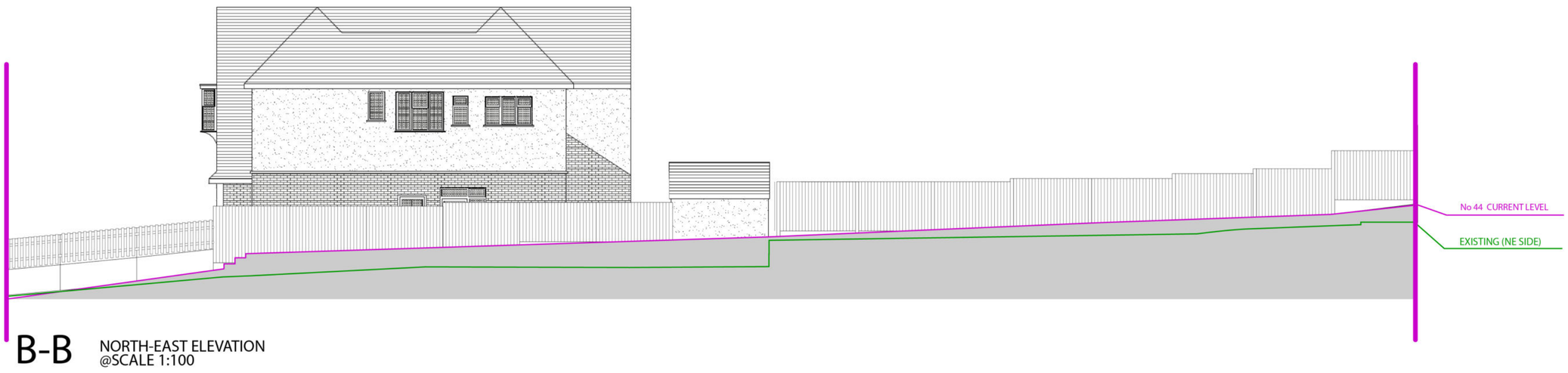
EXISTING GARDEN



B-B NORTH-EAST ELEVATION
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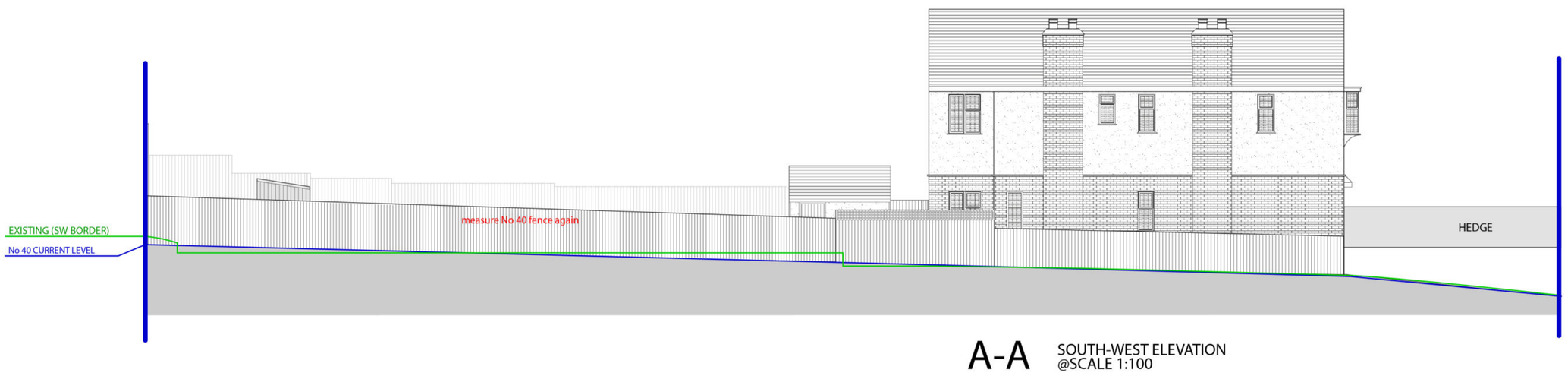

A-A SOUTH-WEST ELEVATION
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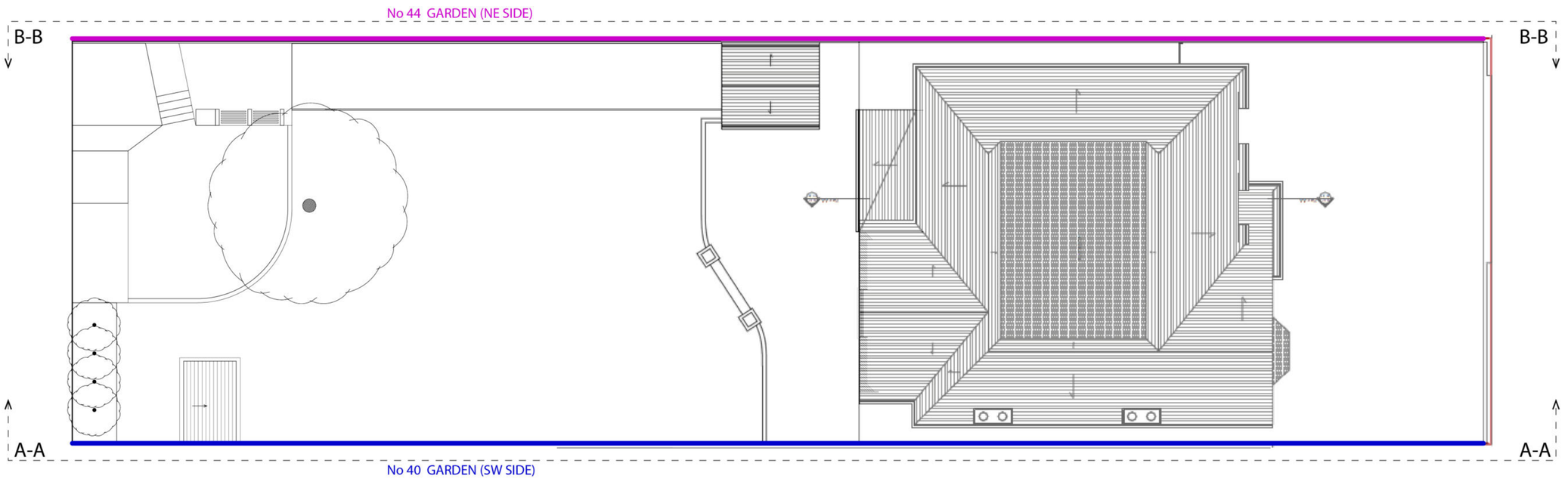
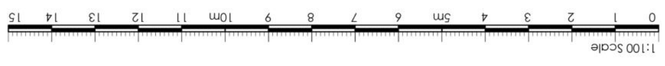
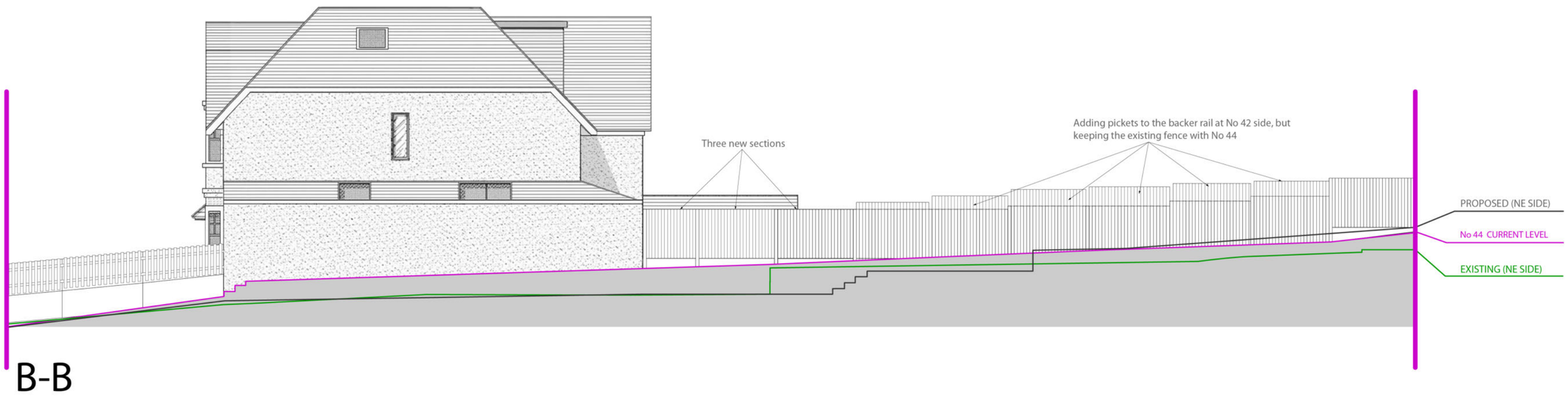




DRAWING TITLE: REAR GARDEN - EXISTING & PROPOSED	**DRAWING NO:** G201210-02 PAGE 1 OF 2 **DATE:** 10.12.20	**SCALE:** 1:100	**PROJECT TITLE:** 42 RAYMOND ROAD, LONDON, SW19 4AP	NOTES: - ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE INDICATED.	BOYAN™ DESIGN **e:** info@boyandesign.com **t:** 07713658965 www.BoyanDesign.com

PROPOSED GARDEN



B-B

A-A SOUTH-WEST ELEVATION
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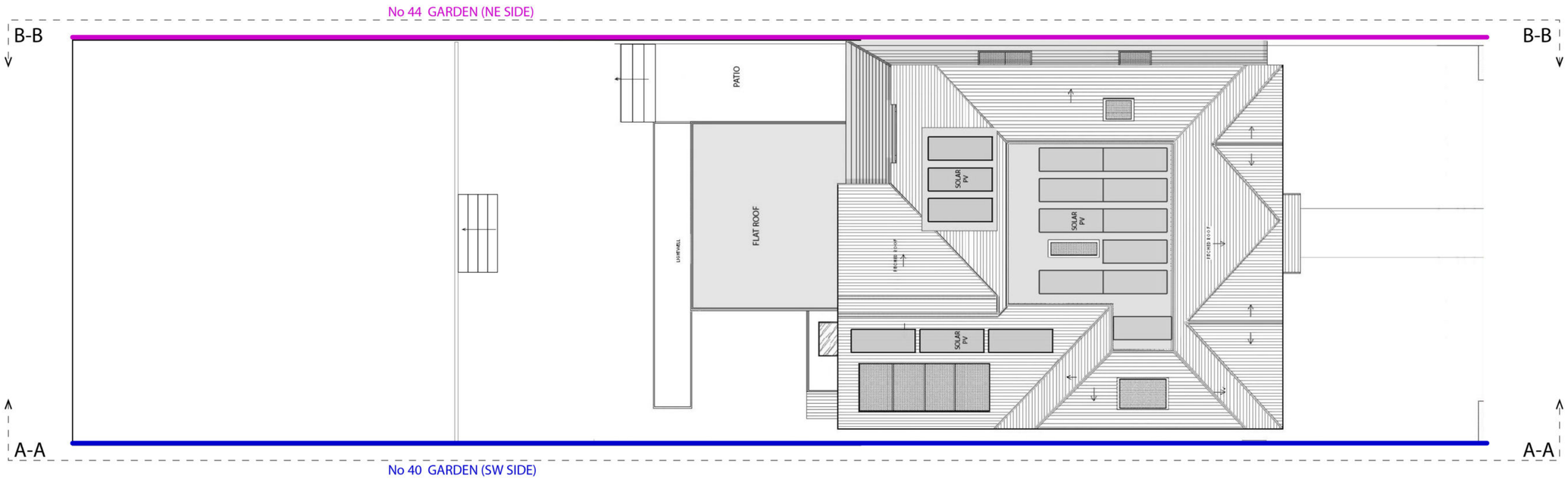
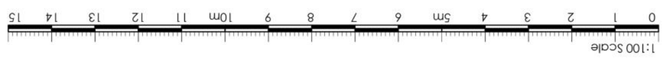
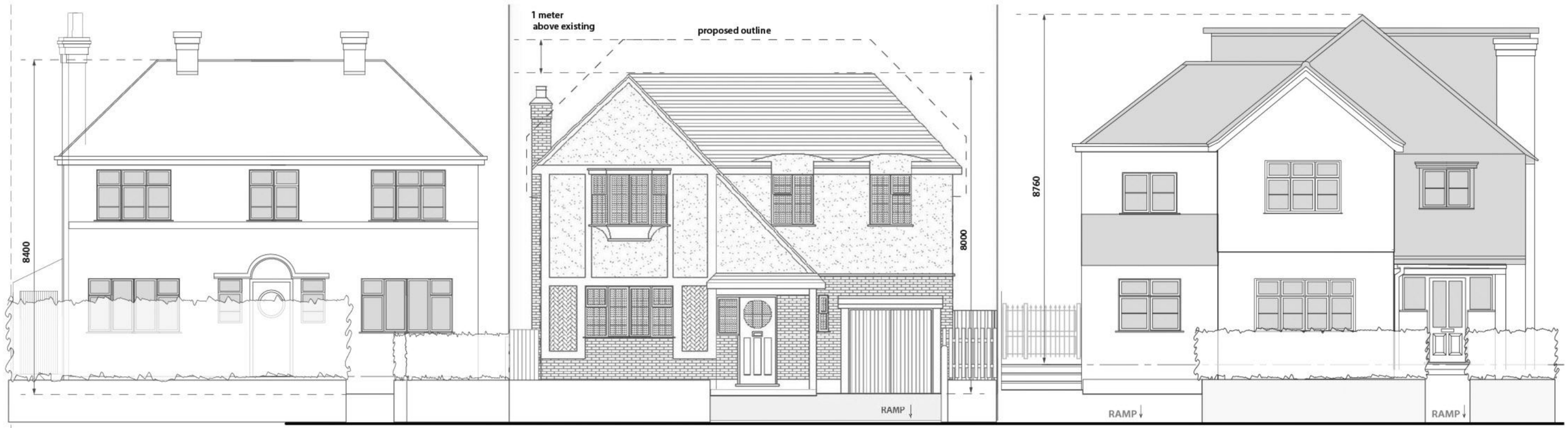




DRAWING TITLE: REAR GARDEN - EXISTING & PROPOSED	**DRAWING NO:** G201210-02 PAGE 2 OF 2 **DATE:** 10.12.20	**SCALE:** 1:100	**PROJECT TITLE:** 42 RAYMOND ROAD, LONDON, SW19 4AP	NOTES: - ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE INDICATED.	BOYAN™ DESIGN **e:** info@boyandesign.com **t:** 07713658965 www.BoyanDesign.com



40 RAYMOND ROAD

EXISTING

44 RAYMOND ROAD

1:100 Scale

0 1 2 3 4 5m 6 7 8 9 10m 11 12 13 14 15

40 RAYMOND ROAD

PROPOSED

44 RAYMOND ROAD

DRAWING TITLE: STREET SCENE - EXISTING & PROPOSED	**DRAWING NO:** S201210-02 **DATE:** 10.12.20	**SCALE:** 1:100 (@A3 LANDSCAPE)	**PROJECT TITLE:** 42 RAYMOND ROAD, LONDON, SW19 4AP		NOTES: - ALL DIMENSIONS ARE IN MILLIMETERS UNLESS OTHERWISE INDICATED.	BOYAN™ DESIGN e: info@boyandesign.com t: 07713658965 www.BoyanDesign.com

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PLANNING APPLICATIONS COMMITTEE
29th June 2021

UPRN	**APPLICATION NO.**	**DATE VALID**
	20/P3364	04/12/2020

Address/Site	Bennets Courtyard, Watermill Way, SW19 2RW
(Ward)	Colliers Wood
Proposal:	ERECTION OF ROOF EXTENSIONS TO THE THREE RESIDENTIAL BLOCKS WHICH COMPRISE BENNETS COURTYARD TO PROVIDE 15 X SELF CONTAINED FLATS (COMPRISING 5 x 1 BED AND 10 x 2 BED FLATS)
Drawing Nos:	WP-0730-A-BC-0150-P-00 Rev A, WP-0730-A-BC-0153-P-03 Rev A, WP-0730-A-BC-0154-P-04 Rev B, WP-0730-A-BC-0155-P-05 Rev B, WP-0730-A-BC-0250-E-X Rev B, WP-0730-A-BC-0251-E-X Rev B, WP-0730-A-BC-0260-E-X Rev B

Contact Officer: Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Yes, restrict parking permits and affordable housing commuted sum of £71,425 and financial viability claw-back mechanism for affordable housing
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Not required
- Site notice: Not required
- Design Review Panel consulted: No
- Number of neighbours consulted: 649

- External consultations: Yes
- Conservation area: Yes
- Listed building: Bennets Courtyard is locally listed and adjacent to Listed Buildings
- Controlled Parking Zone: No
- Green corridor – Yes (bordering the site to the south and west)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the south and west)
- Adjacent to Wandle Valley Regional Park
- Archaeological Priority Zone
- PTAL: 2

1. INTRODUCTION

1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections.

2. SITE AND SURROUNDINGS

2.1 The site is located within the heritage site known as Merton Abbey Mills in Colliers Wood, and is designated within the Wandle Valley Conservation Area (Sub Area 3: Merton Priory). The wider Merton Abbey Mills site is bounded to the west by the River Wandle, by Merantun Way (a primary arterial road) to the north and by Watermill Way to the east and south. The precinct features a mixture of statutory and locally listed buildings. Within the precinct, there are a range of uses, including pub/restaurants, creative and craft based businesses, retail/service businesses and office spaces.

2.2 The site consists of three four storey buildings, arranged on three sides on a communal landscaped area which accommodate 52 flats (25 x 1 bed and 27 x 2 bed). The building is known as 'Bennets Courtyard' and is locally listed. The footprint of two of the buildings is rectangular and the other building is square. The buildings are identified as the East, North and West Block within the submission.

2.3 The site has an area of 0.25 hectares (the residential density is currently 208 dwellings per hectare).

2.4 At ground level the buildings are linked by a ground floor undercroft, which accommodates 45 car parking spaces. A communal garden is provided on the roof of the undercroft. 78 cycle parking spaces are located within the undercroft.

2.5 The East and North Block have commercial use on part of the ground floor at their northern end. Residential

accommodation is also provided on the remainder of the ground floor and the floors above.

2.6 The buildings are a buff brick with aluminium windows, with a central atrium feature.

2.7 The site is located to the south of the historic core of buildings at Merton Abbey Mills which is a collection of former industrial buildings that are in commercial use. The William Morris pub also forms part of this group. (This area forms part of the Wandle Valley Conservation Area)

2.8 To the east are seven storey blocks of residential flats.

2.9 The site is bordered to the south by a stream which is a tributary to the River Wandle. There are mature trees along either side of the stream. Beyond this are the rear gardens of the semi-detached properties which front Runnymede.

2.10 The River Wandle runs along the western side of the site, which again benefits from extensive, mature tree coverage on both banks. Beyond this is a large industrial estate.

2.11 The site is part of the wider area of Colliers Wood, which includes a number of large retail stores/ parks to the north east of the site.

2.12 Colliers Wood underground station is located approximately 800 metres to the north east.

2.13 The site has the following designations and restrictions:

- Archaeological Priority Zone Tiers 1-3
- Flood Zone 2 and 3
- Wandle Valley Conservation Area
- Wandle Valley Regional Park 400m buffer
- Colliers Wood Town Centre
- PTAL 2
- Adjacent to Wandle Trail Nature Park and Lower River Wandle Site of Importance for Nature Conservation (to the south and west of the site).
- Adjacent to Green Corridor (to the west of the site).

3. **PROPOSAL**

3.1 The proposal is for the erection of a single storey roof extension to all three buildings within the site identified as the East, North and West Block. The scheme would provide 15 new units (5 x 1 bed and 10 x 2 bed).

3.2 Access to the units is via an extension to the existing cores, including an extension of the lift shafts to the new top floor.

.

3.3 The top floor would be set back from the floors below and it is proposed that the extension would be finished in a light grey zinc paneling.

3.4 Windows, balustrades and louvers would be in grey aluminium to match the existing.

3.5 Additional refuse provision and an additional 32 cycle parking spaces will be provided for residents within the buildings undercroft, within existing bin and cycle stores, which would be modified and reconfigured to accommodate the additional requirements, with Sheffield type cycle racks installed. One small additional bin store is proposed within the undercroft area.

3.6 No additional car parking is proposed.

3.7 The accommodation schedule and housing mix would be as follows:

Unit	**Type**	**GIA (sqm)**	**Private External amenity space (sqm)**
West Block			
1	2B/3P	61	
2	2B/3P	62	
3	2B/4P	70	
4	2B/4P	70	
5	2B/4P	70	
6	2B/4P	71	
North/Central block			
7	2B/4P	70	
8	1B/2P	50	
9	2B/3P	61	
Eastern Block			
10	1B/2P	50	
11	1B/2P	50	
12	1B/2P	53	
13	1B/2P	53	
14	1B/2P	75	

15	2B/4P	75	

Housing mix:

1b 2p	5
2b 3p	3
2b 4p	7

3.8 External amenity space is provided in a communal shared manor, as per the existing building. There is a total of 1880sqm of shared external amenity split between ground and first floor podium level. 15 new residential units require 101sqm of external amenity collectively under the London Plan requirements). No private external amenity space is proposed.

3.9 The density of the proposed development would be 268 dwellings per hectare.

3.10 The application is accompanied by a Flood Risk Assessment, which sets out that the proposed development will not result in any increase in impermeable surface areas on site. As such, there will be no significant changes to the runoff regime. A “blue roof” is proposed to the building.

3.11 The application was amended on 15th May 2021 to show a greater setback to the top floor, which has resulted in a reduction of units from 17 to 15.

3.12 The application is accompanied by the following documents:

- Design and Access Statement;
- Air Quality Screening Assessment;
- Design & Access Statement, amended 15th March 2021;
- Built Heritage Statement;
- Flood Risk Assessment;
- Letter from EB7 (daylight and sunlight), dated 30th September 2020;
- Energy and Sustainability Statement and Updated Sustainability Appraisal 13th April 2021;
- Noise Impact Assessment;
- Transport Statement;
- Viability Report.

4. CONSULTATION

4.1 469 letters went sent out to adjoining and nearby neighbours and a site notice was displayed on site. 39 letters of representation have been received raising objection on the following grounds:

- The building won the Housing design Awards in 2005 and the extension is not in keeping with the character of the building or the adjacent Merton Abbey Mills Conservation Area and listed Buildings and would damage this historic context.
- Adverse impact on outlook from users of Merton Abbey Mills.
- The building was built at an appropriate height for its context and should not be taller than it already is.
- Overdevelopment
- The new 2020 permitted development rights “right to rise” development laws do not apply to Conservation Areas.
- Materials are inappropriate.
- Concerns over noise and disturbance from construction process if flats below are occupied (also general concern as to the impact on local businesses throughout the construction process).
- Adverse impact on mental health as a result of the construction process.
- Concerns over potential impact on the structural stability of the building.
- Loss of daylight and sunlight to flats below and properties on Runnymede.
- Overlooking to flats below.
- Concerns that an approval may set a precedent for other buildings in the area (and other Conservation Areas across the borough).
- Loss of light to market area and adverse impact on trade as a result.
- The Council should reject the application unless a quantitative daylight analysis demonstrates there are not adverse impacts on usable daylight hours to the cafes (and eating areas), offices and retail units within the Merton Abbey Mills buildings to the north of the site.
- A pedestrian wind comfort and safety assessment should be made to ensure wind speeds do not increase at ground level.
- Query whether new planning rules to protect those working from home have been introduced as a result of the pandemic.
- Potential temporary loss of communal garden throughout construction process.
- If the building is over 18m in height it would require a EWS1 (External Wall Survey) relating to fire regulations. Existing leaseholders should not be forced into a situation where they should be brought

into these regulations. Query if legal advice from the Housing Minister has been sought in this regard.
- Query whether infrastructure is sufficient.
- No affordable housing is proposed. Suggest that financial viability argument is scrutinised in this regard.
- Query where any additional cars would park. The common parking spaces would be utilised by the new occupiers.
- Increase in traffic and congestion.
- The proposal is purely profit driven.
- Harm to biodiversity due to development in close proximity to this green corridor and increased overshadowing.
- Increase in light pollution.
- The 'Liberty Works' application for a large building was refused (17/P0390) and this should also be refused for similar reasons.
- Previous applications for increases in height have been refused.
- This area/site is not identified for additional housing in the existing or draft Local Plan.
- Insufficient lift access to accommodate additional flats.
- The Conservation Area Character Assessment sets out that the buildings to the east of Bennets Courtyard have a negative effect on the historic character of this part of the conservation Area due to their monolithic appearance. This scheme is within the Conservation Area and will have a similar negative impact.
- Occupiers of the building would not have bought the top floor flats if there was a possibility that additional flats would be built above.
- Devaluing of existing flats.
- The plans are deliberately confusing and obscure.
- Increase in litter and vermin.
- The access road cannot cope with the additional pressure of the increase in use as a result of 17 additional units on site.
- There is no urgent need for housing as other areas nearby are being redeveloped.
- The entrance to the block does not accord with MET Police recommendations and is often used by smokers. This may increase with additional units.
- The planning agent refers to the previous planning applications on site as historic but many residents do not agree with that position.
- The sustainability credentials of the proposal cannot be used as a reason for granting permission.
- Increased security concerns as a result of additional units.

4.2 Wandle Valley Forum:

1. Wandle Valley Forum provides support and an independent voice for 140 community groups, voluntary organisations and local businesses and for everyone who shares a passion for the Wandle.
2. We have considered the emerging plans for the upward extension of Bennets Courtyard in the context of the Wandle Valley Forum Charter (http://bit.ly/27Yal2m). This is an important and sensitive site alongside the river and Merton Abbey Mills and within Wandle Valley Conservation Area and Wandle Valley Regional Park.
3. The existing building demonstrates the value of the Conservation Area which has required a much higher quality of building than elsewhere in the locality. It is important that this quality and distinctiveness is retained.
4. We do not consider that the upward extension helps the integrity of the existing architecture but the impact is relatively marginal in relation to the elevations facing Merton Abbey Mills and Prospect House.
5. We have significant concerns about the impact of the upward extension on the elevation facing the Wandle. This has a negative impact on the Conservation Area where development is legally bound to preserve or enhance its character.
6. There is also an indication in the applicant's modelling that the upward extension will increase shading of the river. This is not addressed in the supporting information on sunlight/daylight and further information should be required before determination.
7. The development should also be used to provide public access and a higher quality of public realm between the building and the river. 8. We object to the plans as being in conflict with Merton Local Plan policies CS5, CS14, DM O2, DM D1, DM D2 and DM D3

4.3 Merton Green Party

Policy CS8 in the council's core planning strategy sets a borough-wide affordable housing target of 40% for developments of 10 or more units. The applicant's application form states that none of the 17 units will be affordable housing. We ask the Council to require that its 40% target be met.

4.4 Internal consultation responses:

4.5 Transport Planner

As the car parking is managed privately Merton transport officers will not insist the disabled parking provision. It is for the management company to provide disabled provision as and when required.

4.6 Flood Risk Officer:

Pre-application comments highlighted the need for safe means of escape to be identified but set out that neither an exception or sequential test would be required as there is no additional footprint created relating to a 'more vulnerable' use (as it is a roof top development).

4.7 Climate Change Officer:

Summary of comments:

- The energy and sustainability statement provided indicates that the proposed development will achieve at least a 37% improvement against Building Regulations using SAP 10 carbon emission factors in line with Merton's minimum requirements.
- Queries set out in relation to specific calculations in the Sustainability Statement.
- Carbon Offset Requirements – The final carbon offset contributions will need to be confirmed once the detailed issues have been addressed.

4.8 Environmental Health (air quality):

No objections subject to the following conditions:

Air Quality: The applicant has submitted an Air Quality Assessment report: AQ108769R2 dated September 2020 and completed by Ensafe.

The AQS objectives for NO2, PM10 and PM2.5 are predicted to be met at all existing receptor locations considered in the assessment.

Based on the assessment results the site is considered suitable for the proposed end use without the inclusion of any air pollution mitigation measures.

Condition – Non-Road Mobile Machinery (NRMM)

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it

complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at https://nrmm.london/

Reason: To ensure that the development would not result in a deterioration of air quality.

Construction: It is expected that there will be noise, dust, and vibration disruption to local residents and businesses. Consequently, the applicant/client/principle contractor is expected to detail mitigation measures to ensure that any disruption is keep to a minimum.

This can be controlled by pre commencement conditions detailed below.

Condition – Construction Management Plan/ Dust Management Plan

1. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:
a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.
b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.
2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.
Reason: To ensure the development does not raise local environment impacts and pollution.

4.9 External consultation responses:

4.10 Independent Financial Viability Assessors (Altair Ltd):

From our analysis of the applicant's viability assessment we conclude that an on-site affordable housing contribution is not currently possible from the proposed development. However, the applicant could provide an off-site contribution of £131,593.

We recommend that the council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal.

Updated response, following scrutiny of response set out by the agent (18th June 2021):

We would expect the developer to enter into a restrictive covenant within the s106 agreement so that ground rents are not charged on the development if they are not to be assumed in the viability appraisal.

We therefore conclude a commuted sum of £71,425 is payable. This is a reduction of £60,168 from our original conclusion of £131,593.

4.11 Met Police - Secured by Design Officer:

Concerns about the entrance lobbies to each block. A local issue is bored young person's congregating in the evenings in stairwells, especially during inclement weather. They cause anti-social behaviour and criminal offences. The residential entrance lobbies should be 'air locked' by a second set of access controlled doors to prevent unauthorised access by tailgating.

A zoned fob controlled system should be installed to control access throughout the blocks including the new units. This can assist with the management of the development and allow access to residents to specific designated areas only. Any trades persons buttons must be disconnected. The fobs should always be encrypted to reduce the risk of them being copied by a third party.

As bicycles and their parts are extremely attractive to thieves, the basement cycle store should have appropriate CCTV coverage to provide identity images of those who enter and activity images within the space. The door of the store should have access control and a locking system operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person. The new bicycle storage racks should be secured into concrete foundations, and be of an design that enables cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.

4.12 Environment Agency:

We have **no objection** to the planning application as submitted. The proposed development does not increase the building footprint, and therefore does not encroach towards the nearby main river. We would like to offer the following advice.

Flood risk standing advice – advice to LPA
The proposed development falls within Flood Zone 3, which is land defined in the planning practice guidance as being at risk of flooding.
We have produced a series of standard comments for local planning authorities and planning applicants to refer to on 'lower risk' development proposals. These comments replace direct case-by-case consultation with us. This proposal falls within this category.
These standard comments are known as Flood Risk Standing Advice (FRSA). They can be viewed at https://www.gov.uk/guidance/flood-risk-assessment-for-planningapplications#when-to-follow-standing-advice
We recommend that you view our standing advice in full before making a decision on this application. We do not need to be consulted.

Environmental permit - advice to applicant
The Environmental Permitting (England and Wales) Regulations 2016 require a permit or exemption to be obtained for any activities which will take place:
· on or within 8 metres of a main river (16 metres if tidal)
· on or within 8 metres of a flood defence structure or culverted main river (16 metres if tidal)
· on or within 16 metres of a sea defence
· involving quarrying or excavation within 16 metres of any main river, flood defence (including a remote defence) or culvert
· in a floodplain more than 8 metres from the river bank, culvert or flood defence structure (16 metres if it's a tidal main river) and you don't already have planning permission
For further guidance please visit https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits or contact our National Customer Contact Centre on 03708 506 506 (Monday to Friday, 8am to 6pm) or by emailing enquiries@environmentagency.gov.uk.
The applicant should not assume that a permit will automatically be forthcoming once planning permission has been granted, and we advise them to consult with us at the earliest opportunity.

5. RELEVANT PLANNING HISTORY

5.1 00/P1879 - REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY CAR PARKING (OUTLINE PLANNING APPLICATION). Grant Outline Planning Permission 07-06-2002

5.2 00/P1882 - REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND TWO RESTAURANTS, TOGETHER WITH A CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE; PROVISION OF CYCLE WAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETS DITCH AND PROVISION OF ANCILLARY PARKING FOR THE DEVELOPMENT AND FOR THE ADJOINING MERTON ABBEY MILLS (OUTLINE PLANNING APPICATION). Grant Outline Planning Permission 07-06-2002

5.3 01/P2546 - ERECTION OF 3 X 4 STOREY BUILDINGS TO PROVIDE 26 X 1 BED, 21 X 2 BED FLATS AND GROUND FLOOR ACCOMMODATION FOR RETAIL, FOOD & DRINK/RESIDENTIAL AND CRAFT WORKSHOP USES (CLASSES A1, A3/C3 & B1c), ERECTION OF A NEW BRIDGE ACROSS THE RIVER WANDLE, PROVISION OF AN AREA OF LAND WITHIN THE MARKET COMPLEX FOR THE FUTURE DEVELOPMENT OF A "RENUE" ALTERNATIVE TECHNOLOGY CENTRE, PROVISION OF HARD AND SOFT LANDSCAPING, CYCLEWAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETS DITCH, IMPROVEMENTS TO THE ACCESS TO WATERMILL WAY AND PROVISION OF CAR PARKING FOR 55 VEHICLES. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 07-06-2002

5.4 03/P0066 - APPLICATION FOR APPROVAL OF RESERVED MATTERS REGARDING LANDSCAPING FOLLOWING GRANT OF OUTLINE PLANNING PERMISSION REF 00/P1882 - REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND RESTAURANTS. Grant Permission Subject to conditions 21/05/2003.

5.5 04/P0424 - REDEVELOPMENT OF LAND FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY CAR PARKING (VARIATION OF CONDITION 18 TO ALLOW PARKING SPACES TO BE USED BY RESIDENTS/OCCUPIERS AND THEIR VISITORS OR BY RESIDENTS/OCCUPIERS AND THEIR VISITORS OF

THOSE RESIDENTIAL UNITS FORMING PART OF PLANNING PERMISSION 00/P1882 FOR THE REDEVELOPMENT OF LAND ADJOINING TO THE NORTH AND EAST, FOR FLATS, A HOTEL, HEALTH AND FITNESS CLUB AND RESTAURANTS) OUTLINE PLANNING APPLICATION. Grant Permission Subject to conditions 22/03/2004.

5.6 05/P0978 - APPLICATION TO VARY CONDITION 1 OF PLANNING PERMISSION REFERENCE 00/P1882 FOR:- REDEVELOPMENT OF THE SITE INVOLVING THE ERECTION OF A HEALTH AND FITNESS CENTRE, RESIDENTIAL FLATS, HOTEL AND TWO RESTAURANTS, TOGETHER WITH A CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE; PROVISION OF CYCLE WAY AND PEDESTRIAN FOOTPATH, WORKS TO BENNETS DITCH AND PROVISION OF ANCILLARY PARKING FOR THE DEVELOPMENT AND FOR THE ADJOINING MERTON ABBEY MILLS; TO EXTEND THE TIME PERIOD FOR THE SUBMISSION OF DETAILS IN RESPECT OF THE CANOPIED EXHIBITION AREA AND ENHANCEMENT OF THE CHAPTER HOUSE TO 30 SEPTEMBER 2005 FROM 7 JUNE 2005. Grant Permission Subject to conditions 11/05/2005.

5.7 Adjacent to the site:

19/P0390 - DEMOLITION OF TEMPORARY PAVILLIONS AND ERECTION OF A PART 4 PART 5 STOREY BUILDING TO CREATE OFFICE SPACE (CLASS B1A) AND GROUND UNITS FOR USE WITHIN CLASS A1 (RETAIL), CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES), CLASS A3 (CAFES AND RESTAURANTS) AND CLASS B1A (OFFICES) (AMENDED PROPOSALS - THE LATEST AMENDMENTS WOULD PROVIDE FOR GREATER FLEXIBILITY FOR USE OF THE GROUND FLOOR). Refuse Permission 11-06-2018 for the following reason:

1. **The proposed development, by reason if its height, scale, form, design and appearance, would result in material harm to the character and appearance of the Wandle Valley Conservation Area (Sub-Area 3) and would result in an inappropriate relationship with the smaller neighbouring historic buildings, contrary to Policies DMD1, DMD2, DMD3 and DMD4 of the Sites and Policies Plan 2014, Policy CS14 of the Core Planning Strategy 2011, Policies 7.4, 7.5, 7.6 and 7.8 of the**

London Plan 2016 and Section 12 of the National Planning Policy Framework 2012.

6. POLICY CONTEXT

The key policies of most relevance to this proposal are as follows:

6.1 National Planning Policy Framework (2019)
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

6.2 London Plan 2021:
D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D8 Public realm
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H2 Small sites
H10 Housing size mix
G6 Biodiversity and access to nature
G7 Trees and woodlands
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 3 Energy infrastructure
SI 4 Managing heat risk
SI 5 Water infrastructure
SI 7 Reducing waste and supporting the circular economy
SI 8 Waste capacity and net waste self-sufficiency
SI 13 Sustainable drainage
T4 Assessing and mitigating transport impacts
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

6.3 LDF Core Planning Strategy (July 2011)
CS8 Housing Choice

CS9 Housing Provision
CS11 Infrastructure
CS13 Open space, nature conservation, leisure and culture
CS14 Design
CS15 Climate Change
CS16 Flood Risk Management
CS17 Waste Management
CS18 Active Transport
CS20 Parking, Servicing and Delivery

6.4 Sites and Policies Plan and Policies Map (July 2014)
DM H2 Housing mix
DM O2 Nature Conservation, Trees, hedges and landscape features
DM D2 Design considerations in all developments
DM D3 Extensions and alterations to existing buildings
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM F1 Support for flood risk management
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T5 Access to the Road Network

6.5 Other guidance:

DCLG Technical Housing Standards - Nationally Described Space Standard 2016
London Sustainable Design and Construction - SPG 2014
London Character and Context SPG - 2014
GLA Guidance on preparing energy assessments - 2018
Merton's Design SPG 2004
LB Merton - Draft Sustainable Drainage (SUDS) Design and Evaluation Supplementary Planning Document (SPD) 2018
The Mayor's Air Quality Strategy – 2010
London Housing SPG – 2016
London Town Centres SPG – 2014
London Affordable Housing and Viability SPG – 2017
London Play and Informal Recreation SPG – 2012
Accessible London: achieving an inclusive environment SPG – 2014
GLA Guidance on preparing energy assessments – 2018
Merton's Development Viability SPD (2017-2018) – Consultation draft
London Development Agency's Inclusive Design Toolkit – web based resource
SPG Shaping Neighbourhoods Accessible London: Achieving an Inclusive Environment - 2014.

7. PLANNING CONSIDERATIONS

7.1 Key Issues for consideration

7.1.1 The key issues in the assessment of this planning application are:

- Principle of development
- Need for additional housing and residential density
- Housing mix
- Affordable Housing
- Design and impact upon the character and appearance of the area and Conservation Area
- Impact on neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse storage and collection
- Fire Safety
- Safety and Security considerations
- Sustainable design and construction
- Flooding and Drainage
- Air quality
- Biodiversity
- Response to issues raised in objection letters

7.2 Principle of development

7.2.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan, unless material considerations indicate otherwise.

7.2.2 The proposal would provide 16 residential units within a relatively sustainable location and is considered to be acceptable in principle subject to compliance with the relevant policies of the Development Plan.

7.2.3 The site is within the Wandle Valley Conservation Area, wherein development should preserve or enhance the character and appearance of the Conservation Area.

7.2.4 Officers consider that the principle of development is acceptable, subject to consideration against the policies of the Development Plan.

7.3 Need for additional housing and residential density

7.3.1 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy H1 of the new London Plan sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London borough of Merton is 9,180 (i.e. 918 per year)

7.3.3 Against the requirement of 918 units per year, which equates to 4083 over 5 years (the year 20/21 would remain as per the previous London Plan target), the London Borough of Merton can demonstrate a supply of 4369 units, a provision of 107% of the required five year land supply.

7.3.4 Notwithstanding the above the scheme would make a valuable contribution towards the Council's housing stock.

7.3.5 Policy D3 of the new London Plan requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

7.3.6 The proposed development would have a density of 268 dwellings per hectare (compared to the existing 208 dwellings per hectare).

7.3.7 New London Plan, Policy D6 sets out that:

"Development proposals must make the most efficient use of land and be developed at the optimum density. The optimum density of a development should result from a design-led approach to determine the capacity of the site. Particular consideration should be given to:

1. the site context
2. its connectivity and accessibility by walking and cycling, and existing and planned public transport (including PTAL)
3. the capacity of surrounding infrastructure"

7.3.8 The new London Plan does not include a density matrix as it does not necessarily provide a consistent means of comparing proposals. Density has been measured and monitored in London over recent years in units per hectare (u/ha). Average density across London of new housing approvals in the monitoring year 2015/16 was 154 u/ha with the highest average density being recorded in Tower

Hamlets at 488 u/ha. However, comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units. Planning application boundaries are determined by the applicant. These boundaries may be drawn very close to the proposed buildings, missing out adjacent areas of open space, which results in a density which belies the real character of a scheme. Alternatively, the application boundary may include a large site area so that a tall building appears to be a relatively low-density scheme while its physical form is more akin to schemes with a much higher density.

7.3.9 Therefore, whilst density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and enhancing the character of the area and the relationship with surrounding development.

7.4 Housing mix

7.4.1 New London Plan Policy H12 and associated planning guidance promotes housing choice and seeks a balance of unit sizes in new developments.

7.4.2 Policy DM H2 sets out that residential development proposals will be considered favourably where they contribute to meeting the needs of different householders such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix.

7.4.3 The supporting text to the policy explains that there has been a disproportionate provision of smaller homes compared to larger homes: 84% of dwellings completed in the borough between April 2000 and March 2011 consisted of 1 or 2 bedroom units.

7.4.4 The supporting text to the policy sets out borough level indicative proportions which are as follows:

Number of bedrooms	**Percentage of units**
One	33%
Two	32%

Three+	35%

7.4.5 The mix is informed by a number of factors, including Merton's Strategic Housing Market Assessment 2010.

7.4.6 The current scheme proposes the following mix: 1 bed (33.3%), 2 bed (66.6%).

7.4.7 The new London Plan advises that boroughs should not set prescriptive dwelling size mix requirement but that the housing mix should be informed by the local housing need.

7.4.8 Policy H12 Housing size mix of the new London Plan sets out all the issues that applicants and boroughs should take into account when considering the mix of homes on a site. Boroughs should not set policies or guidance that require set proportions of different-sized (in terms of number of bedrooms) market or intermediate units to be delivered. The supporting text to Policy H12 sets out that such policies are inflexible, often not implemented effectively and generally do not reflect the optimum mix for a site taking account of all the factors set out in part A of Policy H12. Moreover, they do not necessarily meet the identified need for which they are being required; for example, larger units are often required by boroughs in order to meet the needs of families but many such units are instead occupied by sharers.

7.4.9 The housing mix proposed has been influenced in part by the layout of the existing building below. While the scheme includes 2b/4p flats which may be suitable for some degree of family occupation it is open to debate as to whether a rooftop extension with no immediate access to outdoor space would fulfil the day to days needs of families. Given the number of additional units to be provided it is considered that greater weight may reasonably be attached to this rather than to resist the proposals on the grounds of the absence of larger units. No objection is therefore raised in this regard.

7.5 Affordable Housing

7.5.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

7.5.2 In seeking this affordable housing provision LMB will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

7.5.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

> "Applications that meet or exceed 35 per cent affordable housing provision, by habitable room, without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)…
>
> … Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

7.5.4 These requirements are reflected in the New London Plan, which states that:

> "to follow the Fast Track Route of the threshold approach, applications must meet all the following criteria:
> 1.meet or exceed the relevant threshold level of affordable housing on site without public subsidy,
> 2.be consistent with the relevant tenure split (Policy H7 Affordable housing tenure),
> 3.meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant,
> 4.demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and have sought grant where required to increase the level of affordable housing beyond 35 per cent."

7.5.5 Provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers (RPs) and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor's Fast Track Route, which would not require the submission of additional viability information.

7.5.6 The application is accompanied by a financial viability assessment which indicates that the proposal would not be able to deliver any on-site affordable housing or a commuted sum and remain financially viable.

7.5.7 This assessment has been scrutinised by independent financial viability assessors, employed by the Council, who have scrutinised the submission and conclude that the scheme could not provide any on-site affordable housing but could contribute a commuted sum of £71,425 and remain viable.

7.5.8 Therefore, officers recommend that the legal agreement includes provision for this commuted sum as well as a clawback mechanism to ensure that any potential uplift in profit can be utilised for affordable housing contributions (and a restrictive covenant within the s106 agreement so that ground rents are not charged on the development - if they are not to be assumed in the viability appraisal.).

7.6 <u>Design and impact upon the character and appearance of the area and Conservation Area</u>

7.6.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the new London Plan in Policies D3 (Optimising site capacity through the design-led approach) and D4 (Delivering Good Design). These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.6.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy DM D4 seeks to ensure that development within Conservation Areas either preserves or enhances their character and also seeks to protect heritage assets. Core Planning Policy CS14 supports these SPP Policies.

7.6.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The

following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.6.4 According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.6.5 Sites and policies plan policy DM.D4 requires that:
b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.

7.6.6 Merton Abbey Mills is an enclave of historically significant buildings related to the historic mill use. Generally, the buildings are low level (one and two storeys in height). More recent development to the south and southeast of the site is at a greater scale, with buildings up to 6/7 storeys in height. The application site accommodates buildings of 4 storeys in height.

7.6.7 The Wandle Valley Conservation Area Sub-Area 3 Character Assessment (Post Consultation Draft 2007) describes the buildings on site as follows:

> "More recent development to the south of Merton Abbey Mills is also predominantly of brick and although architecturally of a contemporary design it reflects the character of the conservation area in terms of the scale and massing of the buildings and also the design of the fenestration which reflects the more industrial character of the buildings at Merton Abbey Mills."

7.6.8 In relation to the existing buildings on the application site, Bennets Courtyard, the Assessment sets out:

"The new residential development, Bennets Courtyard, to the South of Merton Abbey Mills has been identified as making a positive contribution to the character and appearance of the conservation area is considered to merit inclusion on the Council's non-statutory local-list."

In terms of negative features, the Character Assessment identifies the modern buildings to the south of the application site as harmful to the setting of the Conservation Area:

"The new residential development immediately to the east of the conservation area to the south of Merantun Way is of a rather monolithic appearance and does not relate to the existing character of the area in terms of its architectural appearance. Although not itself within the conservation area it does have a negative impact on the historic character of this part of the conservation area.

7.6.9 Similarly the new hotel and fitness centre to the east of the Merton Priory Scheduled Ancient Monument does not relate to the character of the nearby conservation area in terms of its built form, scale, size and materials used in its construction and has a negative impact on the setting of the conservation area to the west."

7.6.10 It is important that the scheme respects the impact on the character, appearance and setting of the Conservation Area and in particular, the historic core of buildings within Merton Abbey Mills.

7.6.11 It is of note that the scheme for the existing buildings on site was the overall winner of the 2005 Housing Design Awards and winner of the 2005 Medium Housebuilder Award and are Locally listed buildings.

7.6.12 The existing flatted blocks were originally constructed in the early 2000s and particular care was taken to ensure that the bulk and massing respected the lower rise nature of Merton Abbey Mills. The flatted buildings form a 'book-end' to the historic enclave with the tallest buildings being located the furthest away from the lower level historic buildings. Whilst it is acknowledged that the proposed development would increase the height of the existing buildings, officers consider that the extension has been designed in a sympathetic manner to appear relatively unobtrusive. The contrasting roof material and physical setback from the edges of the building is considered to result in a sufficiently subordinate appearance to the existing building which would

satisfactorily preserve the character of the Conservation Area.

7.6.13 Officers note the concerns raised in representations relating to the impact on the character of the existing building and Conservation Area but it is concluded that the rooftop extension would be a well-designed, modest addition which would not appear visually overpowering in local views and would, in the officer's judgement, satisfactorily preserve the character of the existing buildings and that of the Conservation Area and wider area.

7.7 Impact on neighbouring amenity

7.7.1 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.7.2 *Privacy and overlooking*

7.7.3 The proposed rooftop extensions would not result in any greater level of overlooking or intervisibility between properties than the current layout. The concerns of existing top floor occupiers is noted and it is acknowledged that there would be views over to these new flats and views from the new flats. However, the layout would replicate the relationship that exists at the lower floors currently and given the separation distances between blocks, officers consider that an objection on this basis could not be reasonably sustained.

7.7.4 *Loss of light, shadowing and visual intrusion*

7.7.5 The additional floor would have a marginally lesser bulk and massing than each of the floors below and would effectively result in a similar relationship to the flats on the lower floors as currently exists between floors. However, officers acknowledge that the additional floor would have some marginal increased impact in terms of daylight/sunlight and outlook on the floors below.

7.7.6 The adjacent building, Vista House, has a number of windows to the western elevation facing the application site, although the main outlook for Vista House is to the north and south. Given that a number of the windows on this elevation

are serving dual aspect rooms, the impact on daylight and sunlight to this building would not be harmful.

7.7.7 The properties along Runnymede are sufficiently separated from the proposed rooftop extension that whilst there would be some views of the development, it would not result in material harm to amenity.

7.7.8 In terms of the impact on the existing flatted properties at Bennet's Courtyard, the orientation of the Bennet's Courtyard properties results in them maintaining an open aspect to the south such that sky visibility is not directly blocked by the extension scheme. There would be some marginal loss of morning and evening sun but not to the extent that it would amount to a material harm to amenity.

7.7.9 The proposal is not considered to result in material harm to residential amenity.

7.8 Standard of Accommodation

7.8.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).

7.8.2 All units would meet or exceed the minimum GIA and private external amenity space requirements of the London Plan.

7.8.3 Policy DMD2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of sunlight and daylight and quality of living conditions for future occupants.

7.8.3 The majority of units proposed are dual aspect with some single aspect units in the central parts of the blocks. However, this layout is similar to the existing layout below and light levels to the proposed properties would be similar to those in the existing flats on site.

7.8.4 Policy S4 of the London Plan deals with the provision of children's playspace. In terms of amenity space provision, given the extensive communal space associated with the existing buildings, there would be no justification in planning terms to require any additional provision of outdoor amenity space.

7.9 Transport, highway network, parking and sustainable travel

7.9.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.9.2 The Council's Transport Planner has considered the proposals and raises no objection as the proposal is unlikely to have a significant impact on the adjoining public highway.

7.9.3 Watermill Way is a no parking zone with double yellow lines along both sides of the road. Private residential parking areas are provided in relation to the existing buildings. A pay and display car park (operated and managed privately) is located to the northeast in relation to the existing food court. Unrestricted on-street car parking is located to the south of the site including on Runnymede.

7.9.4 It is noted that Watermill Way is a private road and therefore controlled by the management company on-site rather than the Council, as Highway Authority. Therefore, parking and access within the site is handled by the management company. A number of objections have focussed on the issues of car parking and access concerns as a result of additional parking pressure created by the additional units.

7.9.5 In planning policy terms, the London Plan sets out maximum provision and in Outer London PTAL 2 areas the maximum parking provision is one space per unit.

7.9.6 Currently there are 52 residential units on site and 45 car parking spaces (a ratio of 0.86 spaces per unit). The current proposal would result in 67 units on site (a ratio of 0.67 spaces per unit). An average of 31.4% of households have no car (2014/15 -2016/17) London Travel Demand Survey data representing a slight decrease on previous years. With good levels of public transport connectivity, access to services and shops and an emphasis by the Council more generally to encourage and facilitate improvements to more active forms of transport (cycling and walking) officers conclude that any additional parking demand could be adequately managed on site, and would not warrant a refusal in planning terms.

7.9.7 The provision of cycle parking would meet the requirements of the London Plan and no objection is raised on this basis.

7.9.8 The scale of the development is unlikely to result in trip generation which would have a significant impact on highway capacity.

7.9.9 Whilst the concerns raised in representations are noted, there is no reasonable planning basis to refuse the application based on highway or servicing arrangements and the proposal is considered to comply with the relevant development plan policies.

7.10 Refuse storage and collection

7.10.1 Policies SI8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.10.2 A storage area for refuse has been indicated on the ground floor, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this.

7.11 Fire Safety

7.11.1 In terms of fire safety, the London Plan sets out, in the supporting text to Policy D12, that “fire safety compliance is covered by Part B of the Building Regulations. However, to ensure that development proposals achieve the highest standards of fire safety, reducing risk to life, minimising the risk of fire spread, and providing suitable and convenient means of escape which all building users can have confidence in, applicants should consider issues of fire safety before building control application stage, taking into account the diversity of and likely behaviour of the population as a whole.”

7.11.2 As set out above, officers advise that the issue of fire safety is a consideration under the building regulations. However, officers note that the application includes a Fire Strategy, which indicates that matters of fire safety have been considered in the proposed development. The proposed development will be subject to Building Regulations relating to fire safety and therefore, this matter would be considered in its entirety, at that stage.

7.12 Safety and Security considerations

7.12.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.12.2 The comments of the Secured by Design Officer have been carefully considered. However, the existing entrance arrangements are considered sound and would not provide an area for concealment to the extent that the building should be redesigned.

7.12.3 The proposal is considered to be acceptable in terms of safety and security considerations.

7.13 Sustainable design and construction

7.13.1 London Plan policies SI 2 to SI 5 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.13.2 As per CS policy CS15, major residential developments are required to achieve a 35% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The Council's Climate Change Officer has confirmed that the proposal would achieve at least a 37% improvement on Part L and as such no objection is raised on that basis. The applicant has provided additional information to set out that a carbon offset contribution would not be required as the development will achieve net-zero carbon emissions on site. This has yet to be verified by the Council's Climate Change officer and a combination of a planning condition and S106 requirement would safeguard the Council's position and avoid delay in the determination of the application.

7.13.3 Subject to a suitable S106 obligation and conditions, the proposal is considered to be acceptable in terms of sustainable design and construction.

7.14 Flooding and Drainage

7.14.1 New London Plan policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage), Core Planning Strategy policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the

environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.14.2 The proposed development would be "More Vulnerable" and the NPPF flood risk vulnerability of the site will remain unchanged post-development

7.14.3 The risk of the proposed development increasing flood risk elsewhere is considered negligible.

7.14.4 The proposed development will not result in any increase in impermeable surface areas on site. As such, there will be no significant changes to the runoff regime, rate or volumes post-development. London Plan Policy recommends SuDS should be implemented where practical and reasonable - small-scale SuDS measures such as blue roofs are considered in the SUDS strategy.

7.14.5 Following the guidelines contained within the NPPF, the proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures and means of escape) can be maintained for the lifetime of the development (this matter can be secured by way of condition)

7.14.5 Officers conclude that subject to condition, to ensure these measures are employed, that the proposed development would be acceptable in terms of flooding, drainage and runoff.

7.15 Air quality

7.15.1 Planning Policy DM EP4 of Merton's Adopted Sites and Policies plan (2104) seeks to minimise pollutants and to reduce concentrations to levels that have minimal adverse effects on people, the natural and physical environment in Merton. The policy states that to minimise pollutants, development: a) Should be designed to mitigate against its impact on air, land, light, noise and water both during the construction process and lifetime of the completed development. b) Individually or cumulatively, should not result in an adverse impact against human or natural environment. London Plan policy SI 1 (Improving Air Quality) recognises the importance of tackling air pollution and improving air quality to London's development and the health and wellbeing of its people. In accordance with the aims of the National Air Quality Strategy, the Mayor's Air Quality Strategy seeks to minimise the emissions of key pollutants

and to reduce concentration to levels at which no, or minimal, effects on human health are likely to occur. To meet the aims of the National Air Quality Objectives, the Council has designated the entire borough of Merton as an Air Quality Management Area (AQMA).

7.15.2 The Council's Environmental Health Service has reviewed the proposals and raises no objection subject to a condition to ensure that dust and emissions are controlled throughout the construction process. Subject to this condition, officers raise no objection.

7.16 Biodiversity

7.16.1 The site is directly adjacent to a Green Corridor and Site of Nature Conservation Importance. The development itself would not encroach onto this area but concerns have been raised by residents regarding light to the riverside area. It is acknowledged that there may be some marginal overshadowing of the riverside area but the additional roof extension is modest in terms of the overall scale and bulk of the buildings and officers conclude that an objection could not be reasonably substantiated on this basis.

7.16.2 The submission of Construction Method Statement will ensure that storage of materials or equipment/plant ensures that there is no encroachment into the SINC and Green Corridor (this matter can be secured by way of condition).

7.17 Response to issues raised in objection letters

7.17.1 The majority of issues raised in the objection letters have been addressed in the body of the report. However, in addition, the following response is offered:

- There would be some marginal overshadowing to Merton Abbey Mills, however, this impact would be marginal and it is noted that there are no formal requirements in relation to the impact of daylight and sunlight on commercial uses such as cafes, shops and the market in general from new development that would be applicable.
- The proposal does have the potential to cause disturbances throughout the construction process. Whilst this cannot reasonably form a reason for refusal officers recommend that conditions are imposed to minimise this impact where possible.
- Issues relating to the structural stability of the application are not material planning considerations

but would be considered under the Building Regulations.

- The addition of one additional floor to these buildings would not result in such a high building as to warrant further submissions in terms of wind modelling.
- Issues relating to fire safety are primarily addressed at the Building Regulations stage and therefore whether the proposal would result in the building being subject to a EWS1 (External Wall Survey) relating to fire regulations is not a material planning consideration.

8. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

9. Conclusion

9.1 The principle of residential development is considered to be acceptable.

9.2 The proposal would provide additional housing units, for which there is a measurable and considerable need. The proposal is considered to be a modest and relatively discrete addition to the existing flatted blocks, which would replicate existing relationships with other nearby flats and houses and which would not result in a relatively neutral impact on the Conservation Area. For the reasons set out above in this report, it is concluded that the proposal would be acceptable in planning terms.

RECOMMENDATION

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Affordable housing commuted sum £71,425 and Financial viability claw-back mechanism.
- A suitable carbon off set contribution in the event that CO2 reductions fail to meet the zero emissions target.
- The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.

And the following conditions:

1. A1 Time limit

2. A2 Approved Plans

3. B1 External Materials to be Approved

4. The development shall be carried out in accordance with the recommendations of the following approved documents:

   - Design and Access Statement;
   - Air Quality Screening Assessment;
   - Design & Access Statement, amended 15th March 2021;
   - Built Heritage Statement;
   - Flood Risk Assessment;
   - Energy and Sustainability Statement and Updated Sustainability Appraisal 13th April 2021;
   - Noise Impact Assessment;
   - Transport Statement;

5. C07 Refuse & Recycling (Implementation)

6. D10 External Lighting

7. H07 Cycle Parking to be implemented

8. H10 (Construction vehicles, washdown facilities, etc)

9. H13 (Construction Logistics Plan)

10. Non Standard Condition. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.
    Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and the London Plan.

11. Non Standard Condition. Prior to the first occupation of the development hereby approved a Secured by

Design final certificate shall be submitted to and approved by the Local Planning Authority.
Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and the London Plan.

12. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB at the boundary with any residential property.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

13. Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the ALN Acoustic Design, Noise Impact Assessment Report J0504_R01, dated November 2020, must be implemented as a minimum standard for the development.
Reason: To protect the amenities of future occupiers and those in the local vicinity.

14. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:
-hours of operation
-the parking of vehicles of site operatives and visitors
-loading and unloading of plant and materials
-storage of plant and materials used in constructing the development
-the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
-wheel washing facilities
-measures to control the emission of noise and vibration during construction.
-measures to control the emission of dust and dirt during construction/demolition
-a scheme for recycling/disposing of waste resulting from demolition and construction works
Reason: To protect the amenities of future occupiers and those in the local vicinity.

15. Construction Management Plan, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated
Reason: To protect the amenities of future occupiers and those in the local vicinity.

16. All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at https://nrmm.london/
Reason: To ensure that the development would not result in a deterioration of air quality.

17. 1. Prior to the commencement of development, including demolition, a Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:
a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.
b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.
2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution.

18. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved not less than the minimum CO2 reductions as currently required by adopted policy, and wholesome water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources.

Informatives:

1. Carbon emissions evidence requirements for post construction stage assessments must provide: 'As Built' SAP Compliance Reports and detailed DER and TER worksheets for the as built development. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction. The outputs must be dated and include the accredited energy assessor's name and registration number, the assessment status, plot number and development address. OR, where applicable: A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation. AND, where the developer has used SAP 10 conversion factors: The completed Carbon Emissions Reporting Spreadsheet based on the 'As Built' SAP outputs. AND, where applicable: MCS certificates and photos of all installed renewable technologies.

2. Water efficiency evidence requirements for Post Construction Stage assessments must provide:
   - Documentary evidence representing the dwellings 'As Built'; detailing:
   - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);

- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

3. INF 15 Discharge conditions prior to commencement of work

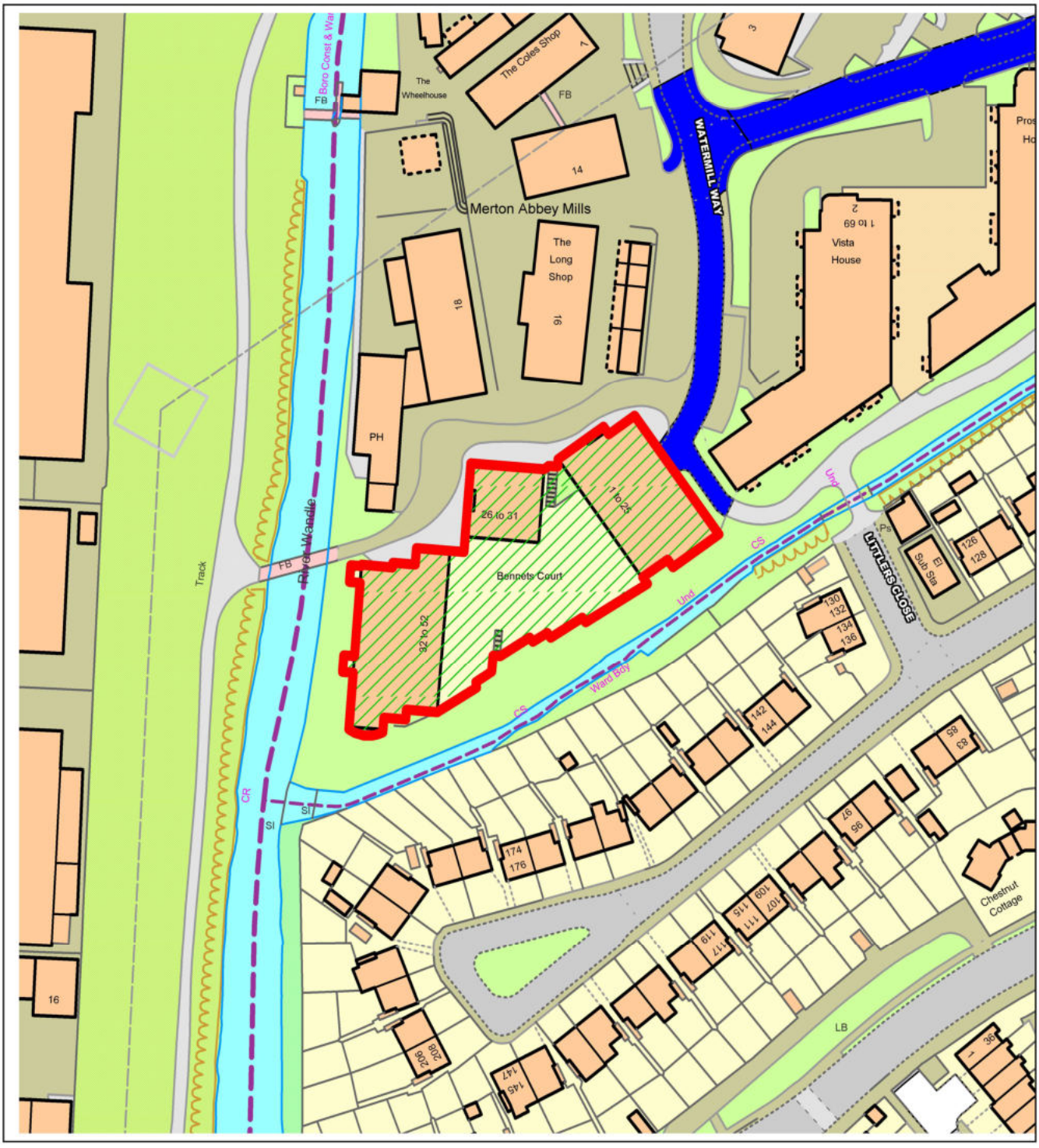
4. INF 20 Street naming and numbering

5. INFORMATIVE: No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

6. NPPF Note to Applicant – approved schemes

7. Informative: Flood Risk Activity Permit Under the Environmental Permitting (England and Wales) Regulations 2016, you must submit plans to the Environment Agency and apply for a Flood Risk Activity Permit if you want to do work:
   - In, over or under a main river
   - Within 8m of the bank of a main river, or 16m if it is a tidal main river (check the location of main rivers here)
   - Within 8m of any flood defence structure or culvert on a main river, or 16m on a tidal main river Flood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment. Further guidance on applying for flood risk activity permits can be found on the following link https://www.gov.uk/guidance/flood-risk-activitiesenvironmental-permits.

NORTHGATE SE GIS Print Template



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A	01/10/2020	Planning

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Ground Floor Plan

Drawing Number	Revision
WP-0730-A-BC-0150-P-00	A
Scale @ A0	**Revision Date**
1:100	04-09-2020

Drawing Purpose
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The Mews,
6 Putney Common, SW15 1HL

0208 780 2206
info@wp.uk.com
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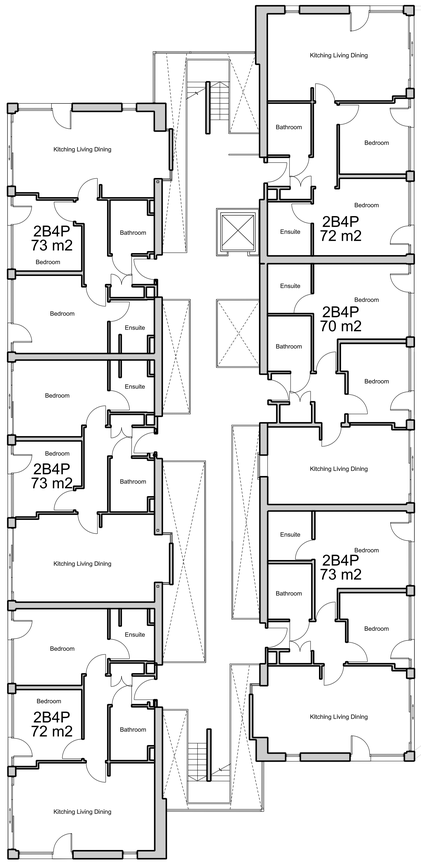
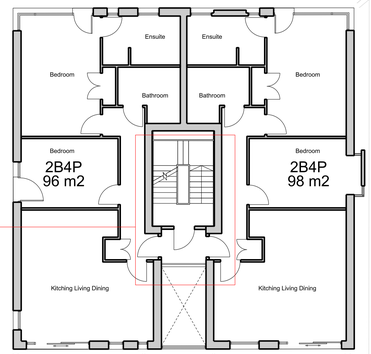
Waste and Cycle Storage Requirements

- Please refer to Design & Assess Statement and Transport Technical Note for calculation.
- Red line denotes areas undergoing reconfiguration to meet proposed requirements.





Red line denotes area where changes are being sought.

- Stair case extended up to new proposed level 4.
- Ventilated smoke lobby added on levels 1,2 and 3 in line with requirements for buildings over 11m.

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Third Floor Plan

Drawing Number	Revision
WP-0730-A-BC-0153-P-03	A
Scale @ A0	**Revision Date**
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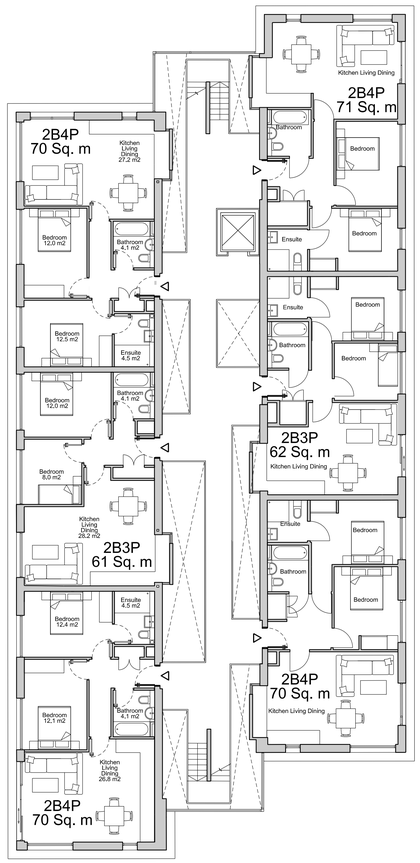

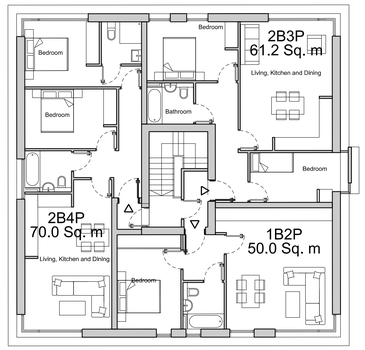

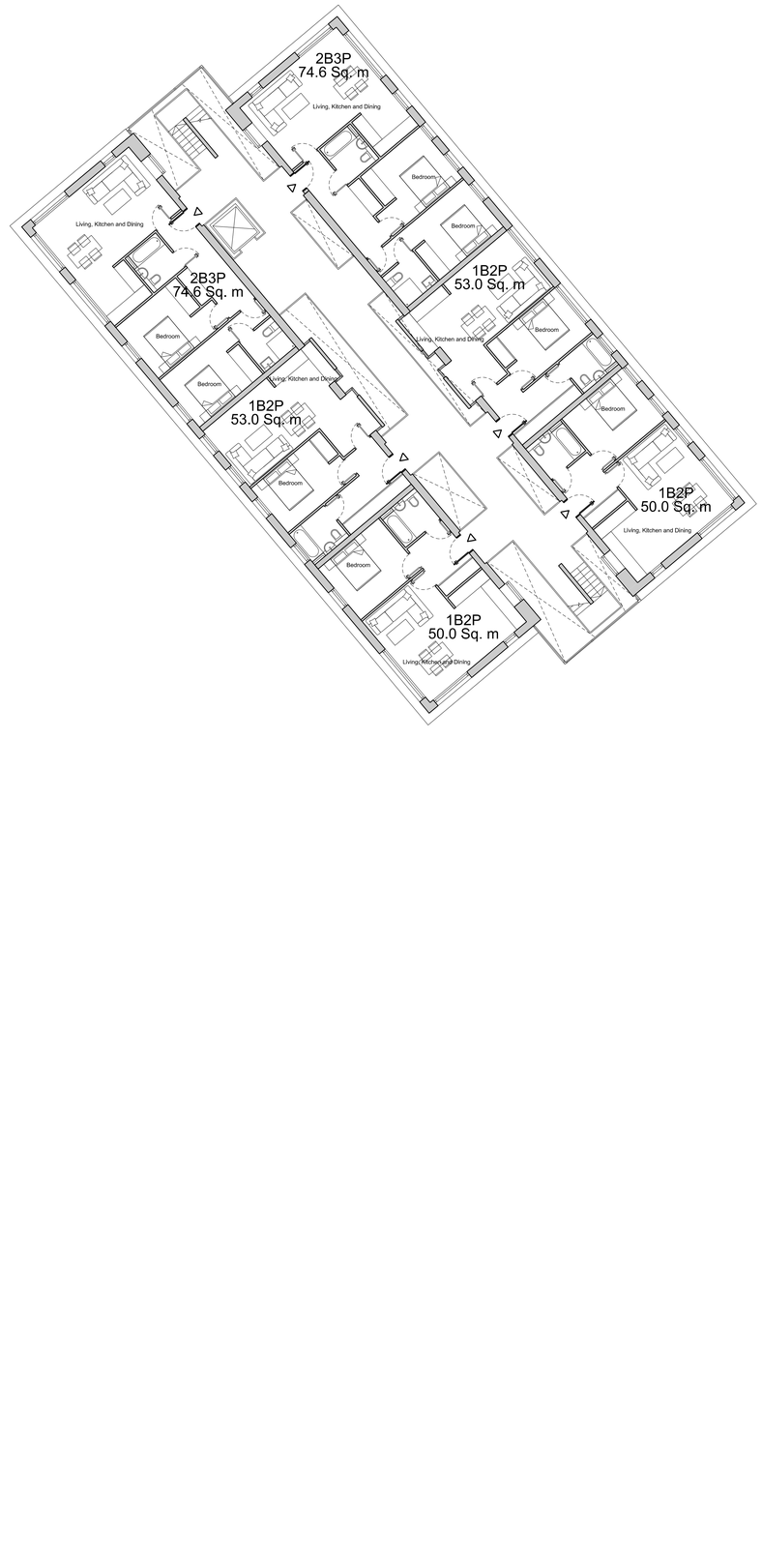

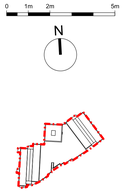

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Fourth Floor Plan

Drawing Number	Revision
WP-0730-A-BC-0154-P-04	B
Scale @ A0	**Revision Date**
1:100	04-09-2020

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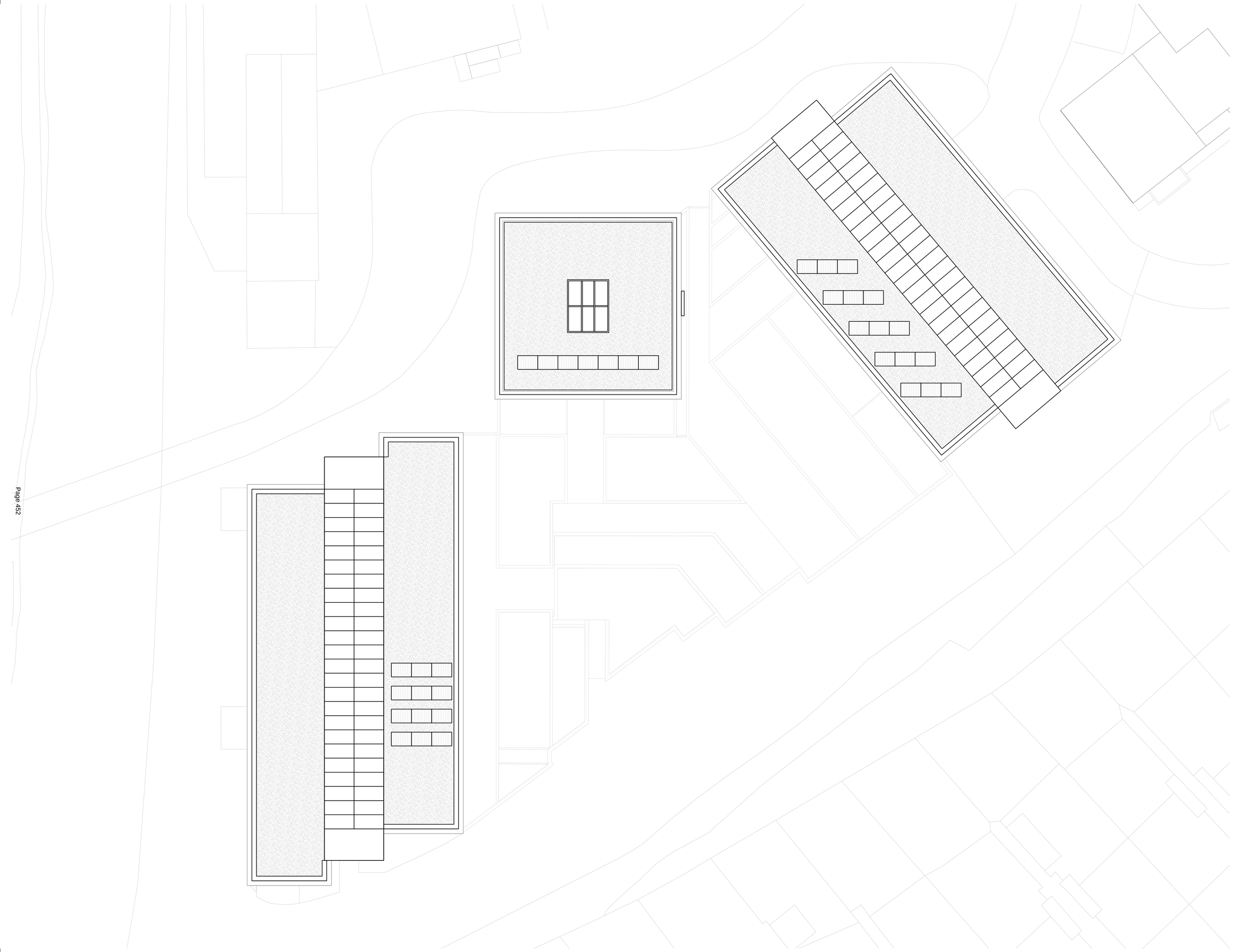

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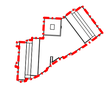

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Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Roof Plan

Drawing Number	Revision
WP-0730-A-BC-0155-P-05	B
Scale @ A0	**Revision Date**
1:100	04-09-2020

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The Mews,
6 Putney Common, SW15 1HL

0208 780 2206
info@wp.uk.com
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01
0250
Proposed

South Elevation

1:100@A0

03
0250
Proposed

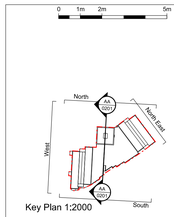
North Elevation

1:100@A0

04
0250
Proposed

North East Elevation

1:100@A0



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Project

Bennets Courtyard

Abbey Mills

Drawing Title

Bennets Courtyard
Proposed Elevations

Drawing Number	Revision
WP-0730-A-BC-0250-E-X	B
Scale @ A0	**Revision Date**
1:100	04-09-2020

Drawing Purpose

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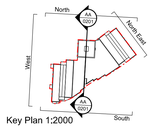
01 / 0251 — Section A-A — Proposed — 1:100@A0

02 / 0251 — West Elevation — Proposed — 1:100@A0

0 1m 2m 5m



Key Plan 1:2000

Revision	Date	Description
B	14/05/2021	Planning Revision
A	01/10/2020	Planning

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The sizing of all structural and service elements must always be checked against the relevant engineers drawings. No reliance should be placed upon sizing information shown on this drawing.

Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Elevation and Section A-A

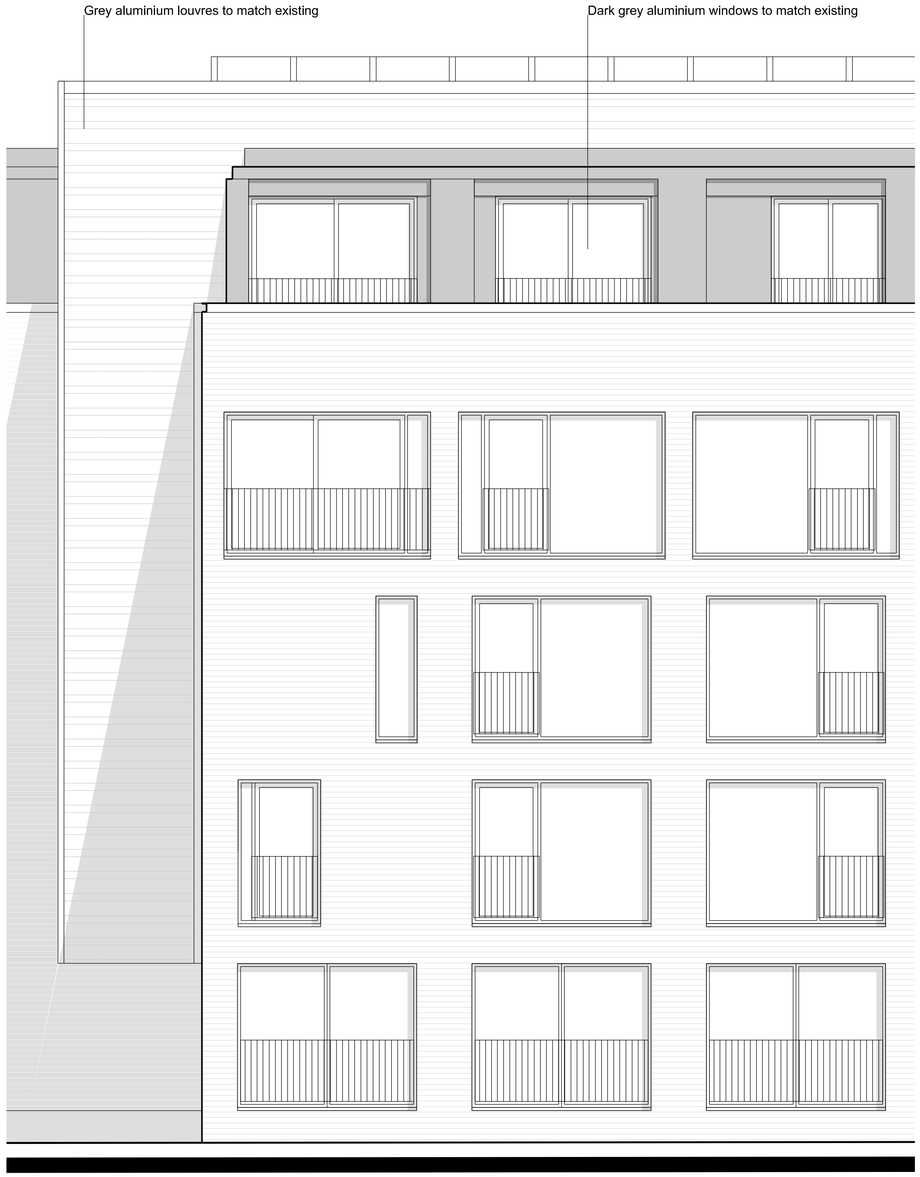
Drawing Number	Revision
WP-0730-A-BC-0251-E-X	B
Scale @ A0	**Revision Date**
1:100	04-09-2020

Drawing Purpose
PLANNING

WIMSHURST PELLERITI

The Mews,
6 Putney Common, SW15 1HL

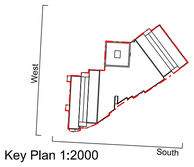
0208 780 2206
info@wp.uk.com
wimshurst-pelleriti.com



01 0260 Proposed — West Elevation 1:50@A1

02 0260 Proposed — South Elevation 1:50@A1

0 50cm 1m 2m 3m



Key Plan 1:2000

Revision	Date	Description
B	14/05/2021	Planning Revision
A	01/10/2020	Planning

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The sizing of all structural and service elements must always be checked against the relevant engineers drawings. No reliance should be placed upon sizing information shown on this drawing.

Project
Bennets Courtyard
Abbey Mills

Drawing Title
Bennets Courtyard
Proposed Detail Bay Elevation

Drawing Number	Revision
WP-0730-A-BC-0260-E-X	B
Scale @ A1	**Revision Date**
1:50	04-09-2020

Drawing Purpose
PLANNING

WIMSHURST PELLERITI

The Mews,
6 Putney Common, SW15 1HL

0208 780 2206
info@wp.uk.com
wimshurst-pelleriti.com

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Committee:	Planning Applications
Date:	29th June 2021

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Recommendation:

That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.

1.2 The relevant Inspectors decision letters are not attached to this report but can be viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

LINK TO COMMITTEE PAGE

DETAILS

Application Number	**20/P1260**
Appeal number:	APP/T5720/W/20/3256530
Site:	64 London Road, Morden SM4 5BE
Development:	ERECTION OF A THREE STOREY ROOF EXTENSION, WITH TWO STOREY MANSARD EXTENSION, CREATING 5 x SELF-CONTAINED FLATS
Appeal Status:	Dismissed
Date of Withdrawal:	14th June 2021

DETAILS

Application Number	**20/P2317**
Appeal number:	APP/T5720/W/20/3256530
Site:	52B Russell Road, Wimbledon SW19 1QL
Development:	REPLACEMENT OF FRONT-FACING BEDROOM WINDOW WITH FRENCH DOORS TO GARDEN AND INSTALLATION OF GARDEN FENCING
Appeal Status:	Dismissed
Date of Withdrawal:	14th June 2021

Alternative options

3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.

3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -

1. That the decision is not within the powers of the Act; or
2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

1.1. None required for the purposes of this report.

2 TIMETABLE

2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

7.1. See 6.1 above.

8 BACKGROUND PAPERS

8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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Committee: Planning Applications Committee

Date: 29th June 2021

Agenda item:

Wards: **All**

Subject: **PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES**

Lead officer: **HEAD OF SUSTAINABLE COMMUNITIES**

Lead member: **CABINET MEMBER FOR REGENERATION, HOUSING AND TRANSPORT COUNCILLOR MARTIN WHELTON**

COUNCILLOR DAVE WARD, CHAIR, PLANNING APPLICATIONS COMMITTEE

Contact Officer Ray Littlefield: 0208 545 3911
Ray.Littlefield@merton.gov.uk

Recommendation:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of casework being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current Enforcement Cases:	**525**	[1](516)	**New Appeals:**	(0)	(0)
New Complaints	61	(37)	**Instructions to Legal**	**0**	(1)
Cases Closed	**52**		**Existing Appeals**	**2**	(**2**)
No Breach:	30				
Breach Ceased:	18		**TREE ISSUES**		
NFA[2] (see below):	4		**Tree Applications Received**		**96 (91)**
Total	52		**% Determined within time limits:**		**45%**
New Enforcement Notices Issued			**High Hedges Complaint**		**1 (0)**
Breach of Condition Notice:	0		**New Tree Preservation Orders (TPO)**		**2 (0)**
New Enforcement Notice issued	0	(0)	**Tree Replacement Notice**		**0**
S.215: [3]	1		**Tree/High Hedge Appeal**		**1 (0)**
Others (PCN, TSN)	1	(1)			
Total	2	(0)			
Prosecutions: (instructed)	0	(0)			

Note (***figures are for the period from (21st April to 11th June 2021***). The figure for current enforcement cases was taken directly from M3 crystal report.

[1] Totals in brackets are previous month's figures

[2] confirmed breach but not expedient to take further action.

[3] S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.0 New Enforcement Actions

Land to the rear of 42 Tamworth Lane, Mitcham, CR4 1DA. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 10th May 2021. This notice requires compliance at the end of July 2021 requiring the Land to be tided up / cleared.

193 London Road, CR4 2JD. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 1st December 2020. This notice requires compliance at the end of February 2021 requiring the Land to be tided up / cleared.

283 Galpins Road CR7 6EY. This is concerning a s215 notice served on untidy land. A s215 notice was issued on 23 December 2019. This notice required compliance at the end of February 2020 requiring the Land to be tided up / cleared. Site visit arranged.

31 Edgehill Road, Mitcham, CR4 2HY. This is concerning a raised platform/garden that has been raised by approximately 90cm. An enforcement notice has been served to remove the raised platform and reduce the garden level by 90cm. The notice would have taken effect on 18/12/19, with a compliance date of 18/03/20, however an appeal has been submitted and is underway.

193 London Road CR4 2TJ. This is concerning untidy land to the side and rear of 193 London Road. An initial site visit was carried out, multiple letters have been sent to the property asking for compliance and for them to contact the Council to confirm a compliance schedule of works. Correspondence from the owner has been received. A further visit was made to confirm the site has not been tidied. The Land is actively being cleared.

155 Canterbury Road, Morden, SM4 6QG. This is concerning an outbuilding in the rear garden that has had a retrospective planning application refused. An enforcement notice has been served on the property for the outbuilding to be demolished, the notice would have taken effect on 9th December 2019 and the compliance period would have been two months. However it has now been appealed to the Planning Inspectorate. The appeal was dismissed by Decision letter dated 19th August 2020. The compliance date i.e. Demolish the unauthorised rear outbuilding is 19th December 2020. Site visit to be arranged.

208 Bishopsford Road, Morden, SM4 6DA. This is concerning the erection of a single storey rear extension onto an existing extension on the ground floor. A Planning Enforcement Notice has been issued requiring the demolition of the Extension. The Notice was issued on 4th October 2019, the Notice came into effect on 10th November 2019 with a compliance period of 3 months, unless an appeal was made before 10th November 2019. An appeal was submitted but rejected by the Planning Inspectorate as it was received by The Planning Inspectorate one day late. Compliance date was 10th February 2020. Further action is under consideration. A new planning application for a reduced structure is to be submitted.

The former laundry site, 1 Caxton Road, Wimbledon SW19 8SJ. Planning Permission was granted for 9 flats, with 609square metres of (Class B1) office units. 22 flats have been created. A Planning Enforcement Notice was issued on 11th October 2018 requiring either the demolition of the development or building to the approved scheme.

The Notice took effect on 18th November 2018 with a compliance period of 12 calendar months. An appeal was made but subsequently withdrawn the following day. The owner decided to comply with the approved permission and is in the process of returning some the residential units back to their authorised office use. Bath and shower units have been removed; the office units are currently being advertised for let. The garage flat is no longer being used for residential and is in the process of being returned to a garage. Planning Application 19/P1527 for Discharge of Conditions has been submitted and is currently being considered. Revised scheme re-sub-mitted and is currently under consideration.

Works are underway to expose the depth and boundary of the foundations in order to confirm an alternative landscaping scheme is feasible. A further scheme is under consideration. A finale inspection is to be undertaken as the requested works / Landscaping has now been carried out.

This Planning Enforcement Notice has now been satisfactorily complied with.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 2) This is regarding a side extension not built in accordance with approved plans and being used as a self contained unit of accommodation. A planning Enforcement Notice was subsequently issued on 24th September 2019 and took effect on 24th October 2019. The Notice requires the cessation of the use of side extension as separate self-contained unit, and the removal of all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas. This Notice has a compliance period of 3 calendar months. An appeal was submitted but subsequently withdrawn. A second Notice was subject of an appeal now determined.

Some Recent Enforcement Actions

7 Streatham Road, Mitcham, CR4 2AD
The Council served two enforcement notices on 6th June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials. The second enforcement notice is for an unauthorised front, side and rear (adjacent to Graham Road) dormer roof extensions. An appeal was lost for the dormers to be considered permitted development, the notice requires the owner to demolish the unauthorised front, side and rear roof dormer extensions (adjacent to Graham Road) and to clear debris and all other related materials. Both Notices came into effect on 8th July 2019 unless appeals were made before this date. No appeals were lodged.

The compliance date of the Enforcement Notice relating to the outbuilding to be demolished and to clear debris and all other related materials has now passed without compliance. The second enforcement notice was not complied with and now prosecution proceedings are being undertaken.

The plea hearing has now taken place at Lavender Hill Magistrates Court, where the defendant pleaded not guilty and the second hearing is due on the 14th January 2020.

A second hearing was held on 14th January 2020, and adjourned until 4th February 2020 in order for the defendant to seek further legal advice.

The defendant again appeared in court and pleaded not guilty, a trial date was set for 21st May 2020. Due to the Covid-19 pandemic this has been postponed. The case has been listed for a ‘non-effective’ hearing on Tuesday 14 July 2020, where a new trial date will be set.

This was postponed until another date yet to be given. The Council has now instructed external Counsel to prosecute in these matters.

The next 'non-effective' hearing date is 2nd October 2020. This date has been re-scheduled to 27th November 2020. This was again re-scheduled to 4th January 2021. Outcome not known at the time of compiling this report.

A trial date has now been set for 28th and 29th April 2021.

At trial the defendant changed his plea from not guilty to guilty on the two charges of failing to comply with the two Planning Enforcement Notices, however due to the current appeals with the Planning Inspectorate relating to two planning application appeals associated with the two illegal developments, sentencing has been deferred until 7th October 2021 at Wimbledon Magistrates Court.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 1) This is regarding a side extension not built in accordance with approved plans. A planning Enforcement Notice was subsequently issued on 24th September 2019 and would have taken effect on 24th October 2019**.** The notice requires the demolition of the rear extension. This Notice has a compliance period of 3 calendar months. An Appeal was electronically submitted. This Appeal has now been determined by Decision letter dated 23rd June 2020. The Appeal was dismissed and the Enforcement Notice upheld. The compliance period is 3 months from the date of the Decision letter. Direct action is now under consideration.

183A Streatham Road CR4 2AG. An Enforcement Notice was issued on 1st May 2019 relating to the erection of a rear balcony to the existing rear roof dormer of the property. The Notice requires demolishing the rear balcony to the existing rear roof dormer and restoring the property to that prior to the breach. The Notice would have taken effect on 4th June 2019, with a compliance period of 2 months. An Appeal to The Planning Inspectorate has been made. The appeal was determined by Decision letter dated 18th March 2020. The appeal was dismissed with a slight variation of the wording of the enforcement Notice. The Enforcement Notice had a 2 months compliance period. A further site inspection found that the Enforcement Notice has been complied with.

47 Edgehill Road CR4 2HY. This is concerning a rear extension not being built to the dimensions provided on the prior approval application. A Planning Enforcement Notice was subsequently issued requiring the demolition of the single storey rear extension. The Notice would have taken effect took effect on 16th September 2019, with a compliance period of 3 calendar months. An Appeal has started. This Appeal has now been determined by Decision letter dated 16th July 2020. The appeal was allowed and the Enforcement Notice quashed.

33 HASSOCKS ROAD, LONDON. SW16 5EU: This was regarding the unauthorised conversion from a single dwelling into 2 x self contained flats against a refusal planning permission. A planning Enforcement Notice was subsequently issued on 10th September 2019 and would have taken effect on 15th October 2019. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect. An Appeal has been submitted, and has started. The appeal site visit was postponed, by The Planning Inspectorate. This Appeal has now been determined by Decision letter dated 17th July 2020. The Appeal was dismissed and the Enforcement Notice upheld. The Notice was varied and the time for compliance extended from 3 months to 6 months from the date of the Appeal Decision letter. However, minor costs were awarded to the appellant for extra work and or time that had been spent on the appeal that were not needed.

76 Shaldon Drive, Morden, SM4 4BH. An enforcement notice was served on 14th August 2019 relating to an outbuilding being used as a self-contained unit. The notice requires the removal of all kitchen facilities, fixtures, fittings, cooker, worktops, kitchen units. The notice takes effect on 16th September 2019, with a compliance period of 1 month. An Appeal has been electronically submitted, This Appeal has now started. The date of the Planning Inspectors site visit was 20th October 2020.

By Decision Letter dated 4th November 2020 the appeal was dismissed and the Enforcement Notice was upheld. The compliance date was 4th December 2020. The owner claims the requirements of the Notice have been met and an inspection is to be carried out.

Existing enforcement appeals

2

Appeals determined

0

New Enforcement Appeals

0

3.4 Requested update from PAC

None

4. Consultation undertaken or proposed

None required for the purposes of this report

5 Timetable

N/A

6. Financial, resource and property implications

N/A

7. Legal and statutory implications

N/A

8. Human rights, equalities and community cohesion implications

N/A

9. Crime and disorder implications

N/A

10. Risk Management and Health and Safety implications.

N/A

11. Appendices – the following documents are to be published with this report and form part of the report Background Papers

N/A

12. Background Papers

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